**GRANT FUNDING OPPORTUNITY**

**The Next EPIC Challenge: Reimagining Affordable Mixed-Use Development in a Carbon-Constrained Future**

**EPIC Program**



**GFO-20-305**

http://www.energy.ca.gov/contracts/index.html

**State of California**

**California Energy Commission**

December 2020

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| **Attachment Number** | | **Title of Section** | | |
| --- | --- | --- | --- | --- |
| 1 | | Application Form ***(requires signature)*** | | |
| 2 | | Project Abstract | | |
| 3 (Optional) | | Commitment and Support Letters ***(requires signature)*** | | |
| Table 2. Design Phase Application Attachments | | |
| **Attachment Number** | **Title of Section**  **Note ONLY Applicants that pass the Concept Application Phase will be eligible to submit a full application for the Design Phase, using the following attachments** | | |
| 4 | Application Form ***(requires signature)*** | | |
| 5 | Executive Summary | | |
| 6 | Project Narrative | | |
| 7 | Project Team | | |
| 8 | Scope of Work | | |
| 9 | Project Schedule | | |
| 10 | Budget | | |
| 11 | CEQA Compliance Form | | |
| 12 | References and Work Product Form | | |
| 13 | Commitment and Support Letters ***(requires signature)*** | | |
| 14 | Project Performance Metrics | | |
| 15 | Application Declaration ***(requires signature)*** | | |

Table 1. Concept Application Attachments

For recipients that proceed through the Design Phase, the above attachments will also be required for the Build Phase application. These attachments will need to be confirmed and/or amended as necessary, at the end of the Design Phase.

# I. Introduction

**NOTE ABOUT SIGNATURES**

The CEC **may** have waived the requirement for a signature on application materials for this solicitation for electronic submissions. If a notice, regarding CEC’s waiver of the signature requirement appears here: <https://www.energy.ca.gov/funding-opportunities/solicitations>, the waiver applies to this solicitation. In the event of a conflict between the notice and any language in this solicitation regarding signatures, the notice will govern.

Even if the requirement for signatures has been waived, applicants are still expected to adhere to the requirements of this solicitation as if they had signed.

## Purpose of Solicitation

The purpose of this solicitation is to fund a design-build competition that will challenge multi-disciplinary project teams to design and build a mixed-use development – using cutting-edge energy technologies, tools and construction practices - that is affordable, equitable, emissions-free and resilient to climate change impacts and extreme weather events.

Climate change and housing affordability present two of the most significant challenges facing California. The deadly and destructive fires of the past few years, as well as findings from California’s Fourth Climate Change Assessment[[1]](#footnote-2), have highlighted the dire impacts expected from climate change on California if greenhouse gas emissions are not dramatically reduced. To avoid the most severe impacts of climate change, California has set aggressive policy goals to decarbonize its energy sector by 2045. Building decarbonization – primarily achieved through energy efficiency, onsite renewable generation and storage, and full end-use electrification – is a key strategy for realizing the state’s goals to reduce greenhouse gas emissions. A number of California’s local governments are already pursuing ordinances that would require all new and existing buildings to be zero-emission by 2030 and 2050, respectively.

At the same time California is moving to decarbonize its building stock, the state also faces a housing affordability crisis in which over 50 percent of households cannot afford to live in the area where they work.[[2]](#footnote-3) The lack of affordable housing options close to city centers has pushed new residential development outwards, escalating housing and living costs. A report by Center for Neighborhood Technology found that affordable communities in metro areas shrink when both housing and transportation costs are considered.[[3]](#footnote-4)

To close the housing gap, Governor Newsom has set a goal of building 3.5 million new housing units by 2025. Smart growth – compact development that puts residential and commercial uses close together in urban areas and areas close to transit – is a key strategy for realizing this target. A report from the McKinsey Global Institute found that California has room to build more than 5 million new units in “housing hot spots.” The biggest opportunity is to build denser housing in urban areas and around transit hubs.

Mixed-use development has emerged as an integral component and tool in smart growth strategies. Numerous reports have highlighted the environmental and socio-economic benefits of mixed-use development; and both policy and market drivers are pushing for greater quantities. However, the pathway to zero-emission mixed-use development is currently uncertain and likely not technically or economically feasible using current commercial technologies, and standard building design and construction practices. Further complicating matters, recent studies have found that smart growth development can further escalate gentrification and displacement of low-income households. This raises questions about whether mixed-use development can be planned, designed, and built in a manner that is affordable, equitable, and emissions-free; while at the same time attractive from a market standpoint.

Through its research and development investments, the CEC has supported the development of a number of promising technologies that can help support the feasibility of a zero-emission mixed-use development. Many of the technologies have benefits beyond their energy and emission savings that can help facilitate their market adoption. For example, advancements in solid-state lighting and heat exchangers are enabling lighting and HVAC products in novel new form factors; potentially opening a new set of design options for architects to increase the aesthetic appeal and functionality of buildings. In addition, market actors and stakeholders are pursuing promising innovations in architecture, planning, policy, technology, construction, and financing. To address both greenhouse gas emissions and rising housing costs, technology and non-technology innovations across these sectors will need to come together into new models capable of disrupting the housing sector so that all Californians have access to safe, healthy, affordable, and desirable living environments.

This solicitation will be conducted as a two-phase design-build competition. The CEC may consider adding a third-phase grand prize challenge that will be awarded to the best of the four Build Phase projects to scale their design across the state. There is currently up to $12,000,000 available for the Design Phase portion of this solicitation. There is an additional $36,000,000 in funding available for the Build Phase of this competition contingent upon approval of the CEC’s 2021-2025 EPIC Investment Plan. This would result in a total of up to $48,000,000 planned for grants awarded under this solicitation.

Projects for this solicitation must fall into one of four regionally based groups. There will be up to 12 teams selected for the Design Phase, with up to 3 teams selected per region. Up to 4 teams will advance to the Build Phase, with up to 1 team selected per region.

Table 3: Anticipated Number of Awards by Group and Phase

| **Project Group** | **Number of Awards - Design Phase** | **Number of Awards - Build Phase** | **Number of Awards – Scale Phase** |
| --- | --- | --- | --- |
| Group 1: Bay Area Region | 3 | 1 | 1 |
| Group 2: Central Valley/Northern California | 3 | 1 |
| Group 3: Los Angeles Region | 3 | 1 |
| Group 4: Imperial Valley, Inland Empire, and San Diego County | 3 | 1 |
| Total Number of Awards | **12** | **4** | **1** |
| Total Amount of Funding | $12 million | $36 million | T.B.D. |

Source: California Energy Commission staff

See Part II of this solicitation for project eligibility requirements.

See Part IV for Evaluation and Award Process.

Prospective applicants looking for partnering opportunities for this funding opportunity should register on the California Energy Commission’s Empower Innovation website at [www.empowerinnovation.net](http://www.empowerinnovation.net).

## Key Words/Terms

Table 4. Definition of Key Words and Terms

| **Word/Term** | **Definition** |
| --- | --- |
| Applicant | The entity that submits an application to this solicitation. |
| Application | An applicant’s written response to this solicitation. “Application” may be used interchangeably with “proposal”. |
| Authorized Representative | *Authorized Representative*, the person signing the application form who has authority to enter into an agreement with the CEC. |
| CAM | *Commission Agreement Manager,* the person designated by the CEC to oversee the performance of an agreement resulting from this solicitation and to serve as the main point of contact for the Recipient. |
| CAO | *Commission Agreement Officer* |
| CBO | *Community Based Organization*. A public or private nonprofit organization of demonstrated effectiveness that:   1. Has an office in the region (e.g., air basin or county) and meets the demographic profile of the communities they serve. 2. Has deployed projects and/or outreach efforts within the region (e.g., air basin or county) of the proposed disadvantaged or low-income community. 3. Has an official mission and vision statements that expressly identifies serving disadvantaged and/or low-income communities. 4. Currently employs staff member(s) who specialized in and are dedicated to – diversity, or equity, or inclusion, or is a 501(c)(3) non-profit. |
| CEC | State Energy Resources Conservation and Development Commission or , the California Energy Commission. |
| CEQA | California Environmental Quality Act, California Public Resources Code Section 21000 et seq. |
| Days | *Days refers to calendar days.* |
| DER | *Distributed Energy Resources* |
| Disadvantaged Community | These are communities in the top 25% scoring census tracts from CalEnviroScreen 3.0 along with other areas with high amounts of pollution and low populations.  (https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30) |
| Energy Equity | The fair distribution of benefits and burdens from energy production and consumption. |
| EPIC | *Electric Program Investment Charge,* the source of funding for the projects awarded under this solicitation. |
| IOU | *Investor-owned utility,* an electrical corporation as defined in in California Public Utilities Code section 218. For purposes of this EPIC solicitation, it includes Pacific Gas and Electric Co., San Diego Gas and Electric Co., and Southern California Edison Co. |
| Low Income Community | 1. *Low-income Communities* are defined as communities within census tracts with median household incomes at or below 80 percent of the statewide median income or the applicable low-income threshold listed in the state income limits updated by the Department of Housing and Community Development. (https://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits.shtml) |
| NOPA | *Notice of Proposed Award,* a public notice by the CEC that identifies award recipients. |
| Pilot Test | *Pilot test* means small scale testing in the laboratory or testing on a small portion of the production line of the affected industry. Pilot tests help to verify the design and validity of an approach, and adjustments can be made at this stage before full-scale demonstrations |
| Pre-Commercial Technology | *Pre-commercial Technology* means a technology that has not reached commercial maturity or been deployed at scales sufficiently large and in conditions sufficiently reflective of anticipated actual operating environments to enable the appraisal of operational and performance characteristics, or of financial risks. |
| Principal Investigator | The technical lead for the applicant’s project, who is responsible for overseeing the project; in some instances, the Principal Investigator and Project Manager may be the same person. |
| Project Manager | The person designated by the applicant to oversee the project and to serve as the main point of contact for the CEC. |
| Project Partner | An entity or individual that contributes financially or otherwise to the project (e.g., match funding, provision of a test, demonstration or deployment site), and does not receive CEC funds. |
| Recipient | An entity receiving an award under this solicitation. |
| Solicitation | This entire document, including all attachments, exhibits, any addendum and written notices, and questions and answers (“solicitation” may be used interchangeably with “Grant Funding Opportunity”). |
| State | State of California |
| TRL | Technology readiness levels, are a method for estimating the maturity of technologies during the acquisition phase of a program.  Source: U.S. Department of Energy, “Technology Readiness Assessment Guide”. <https://www2.lbl.gov/dir/assets/docs/TRL%20guide.pdf> |

## Project Focus

The CEC is seeking to fund projects that can demonstrate an innovative and integrated approach – using cutting edge energy technologies, tools and construction practices - to designing and building mid-rise, mixed-use developments that are affordable, equitable, climate-resilient, cost-competitive, and emissions-free.

Applicants should ensure that their designs meet the following requirements and should address these requirements within their Concept Application and the Project Narrative of their application for the Design Phase.

**Minimum Site Requirements**

The following describes the minimum site requirements that project teams must meet in their designs for the competition:

* A single development project of one or more buildings. If multiple buildings, must be located within ¼ of a mile, part of the same overall masterplan development, and have functional integration among buildings, such as DER aggregation.
* The development can be new construction or an adaptive reuse of an existing development. Adaptive reuse refers to the renovation and reuse of existing structures for new purposes. Simple retrofits to existing buildings are not eligible.
* The development must be mixed-use. For the purpose of this solicitation, the CEC defines 'mixed-use" as follows: 1) provides two or more significant revenue-producing uses (such as retail/entertainment, office, residential, hotel, indoor agriculture, and/or civic/cultural/recreation), 2) fosters integration, density, and compatibility of land uses, and 3) creates a walkable community with uninterrupted pedestrian connections.
* Mixed-use projects that include industrial uses are excluded from this solicitation. (Here, “industrial” refers to land use definitions in the applicable local zoning code and General Plan, or if the applicant has not selected a site, then “industrial” refers to its common usage in the land use planning field.)
* The project site must be located within the service territory of Pacific Gas & Electric (PG&E), Southern California Edison (SCE), or San Diego Gas and Electric (SDG&E).
* The development must dedicate a minimum of 20% of the total units to affordable housing with at least 10% of the total units being dedicated to lower income units.[[4]](#footnote-5) Alternatively, applicants can use local government requirements as the minimum requirements, however they must provide evidence of local affordability requirements. Proposals with a higher percentage of affordable housing and low income units will be scored more favorably.
* The development must include a minimum of 50 housing units.
* The development must achieve a minimum density of 30 residential units per acre.

### Minimum Design Requirements

The following describes the minimum design requirements that project teams must meet in their designs for the competition:

* All building end-uses must be electric (no gas consumption is allowed).
* A minimum of 20% of the building’s peak load must be available to be temporarily managed or curtailed to respond to grid conditions.
* The building’s residential load during peak demand hours, 4-9pm, must be met through a combination of onsite renewables, onsite storage, and load management.
* All residential end uses must be controllable through the home energy management system and be capable of responding to real-time pricing signals.
* The microgrid controller(s) must be interoperable with DER aggregation platforms such as Virtual Power Plants.
* The building(s) must be able to island from the main grid during an outage and be able to shed discretionary loads to provide power to Tier 1 critical loads (10% of peak load) and Tier 2 priority loads (25% of peak load).[[5]](#footnote-6)
* The microgrid must be sized for indefinite renewables-driven backup power of Tier 1 critical loads using any combination of onsite renewables, onsite storage, and load management.
* 20% of all parking spaces associated with the development must have EV-charging stations that can respond to grid- and building-signals.
* All remaining parking spaces must be EV-ready, meaning they must have a dedicated electrical circuit with the capacity to eventually become a charging station.

**Successful applicants will likely include**:

* A skilled, **well-resourced** management team to ensure coordination between the different aspects of the proposed project as well as coordination between related research efforts.
* A clearly articulated approach to stakeholder engagement, including dedicated funding and expertise. This includes project team members that can think critically and creatively about how to engage a diverse range of stakeholders, and how to best incorporate the needs of the community and prospective tenants into the design.
* A multi-disciplinary project team with a wide array of expertise that may include the following:
  + Architectural firms
  + Developers
  + Electric Utilities, CCAs
  + Local Governments
  + Community-based Organizations
  + Energy technology experts/solution provider

Projects for this solicitation must fall into one of four regionally based groups (Table 4).

Table 5: Eligible Counties by Group

|  |  |
| --- | --- |
| **Group** | **Eligible Counties** |
| Group 1: Bay Area Region | Alameda, Contra Costa, Mendocino, Marin, Napa, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma |
| Group 2: Central Valley/Northern California | Alpine, Amador, Butte, Calaveras, Colusa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Inyo, Kern, Kings, Lake, Lassen, Madera, Mariposa, Merced, Modoc, Mono, Monterey, Nevada, Placer, Plumas, Sacramento, San Joaquin, San Benito, San Luis Obispo, Shasta, Sierra, Siskiyou, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, Yuba |
| Group 3: Los Angeles Region | Los Angeles, Orange, Santa Barbara, Ventura |
| Group 4: Imperial Valley, Inland Empire, and San Diego County | Imperial, Riverside, San Bernardino, San Diego |

Source: California Energy Commission staff

The application process will proceed as follows:

* + 1. **Concept Application Submittal**

Applicants must submit a Concept Application that consists of, at maximum, a ten-page Project Abstract (Attachment 2) that summarizes key project details such as the goals and objectives of the project and how they align with the solicitation objectives, the technical innovations proposed by the project, and expected benefits to the residents and community.

**Projects will not be required to have a site secured to submit a concept application abstract.**  However, if the applicant has a site in mind, or has a site already within its ownership or control, that should be disclosed in the concept application.

Applicants may submit multiple proposals during the concept application phase, however each proposal must be submitted as its own application unless the projects are part of the same master plan.

Concept Applications will be evaluated on pass/fail basis (see Section IV.E). For required attachments, see Table 1.Project Abstracts must address the questions listed in the Concept Application Scoring Criteria (Table 13).

* + 1. **Full Application Submittal**

Only applicants with a passing Concept Application will be eligible to submit a full application for the Design Phase.

* Prime recipients: Organizations are only eligible to receive one award per group. Applicants may submit multiple full applications as the prime recipient to the same group. However, only the highest scoring proposal for that group will awarded. The CEC reserves the right to award the other proposals by the prime applicant if not enough proposals in the Group achieve a passing score.
* Subrecipients and Vendors: There is no limit to the number of awards an organization can be funded for as a subrecipient or vendor.

The full application must include a detailed project proposal to show how the applicant plans to get from concept phase to build phase. For required attachments, see Table 2. The Project Narrative (Attachment 6) must describe how the project will meet the minimum site and design requirements outlined below. Design Phase applications will be evaluated based on a pass/fail screening (see Section IV.F) and scoring evaluation (see Section IV.G). The Project Narrative (Attachment 6) must thoroughly address each of the questions listed in the scoring criteria 1-10 (Table 17).

**Applicant teams are required to have a site selected and secured to submit the Full Application for the Design Phase.** The CEC considers a site secured (for the purposes of submission of a Full Application only), when a member of the applicant team either owns or controls the site or is in the process of owning or controlling the site. Examples of the latter (i.e., process of owning or controlling) include, but may not be limited to, purchase agreement, lease-option agreement, lease-purchase agreement, purchase option agreement, agreement to donate, or site acquisition negotiations regarding these types of transactions. The extent to which the applicant has secured the site must be explained in the application, and it may be taken into account in scoring.

* + 1. **Design Phase Implementation**

Project teams selected for the Design Phase will be funded to implement their concept and approach for designing a zero-emission mixed-used development. Project teams are expected to work with community-based organizations to incorporate the needs of the community and prospective tenants in the design.

Projects selected and funded for the Design Phase will be asked to complete and submit the following deliverables to be eligible for the Build Phase:

* Conceptual drawings, design plans, and an architectural-scale model of the development.
* Software modeling of the development’s expected energy and emissions performance and impacts on tenants’ energy bills.
* A case study of the design phase to document the planning, design, and community engagement process.
* A description of the emerging technologies and strategies proposed to be used in the build-out and why they were chosen.
* An analysis of the estimated cost difference between the zero-emission build-out compared to standard building design, construction, and operations.
* A community engagement plan to solicit input from the community throughout the design process.
* Two-minute video of the project concept that will air at the Showcase Event.

Eligible Costs for the Design Phase can include but are not limited to the following:

* Administrative costs to manage the grant
* Preliminary financial applications
* Community outreach and engagement to solicit input on the proposed development and its design
* Architectural and Engineering design expertise
* Energy technology expertise
* Building simulation
* Other areas of expertise to explore innovative strategies to community engagement, financing, and building construction.
* Tools and expertise to model building energy and GHG profile

**4. Build Phase Selection**

The end of the Design Phase essentially contains part of the competition for the Build Phase. Design Phase grant recipients will prepare all of the necessary application documents, which will be evaluated. A second Notice of Proposed Award (NOPA) and second Energy Commission Business Meeting vote will occur. The Commission will approve the four winners to move to the Build Phase and receive up to $9 million each to build out their concept. The Build Phase application and selection process and timeline are outlined in Table 6.

In addition, the CEC will sponsor a one-day event to showcase project designs from the Design Phase. This showcase event will also serve as the vehicle to announce the projects that will be selected for the non-monetary awards.

To explain, Design Phase project teams will submit the following Design Phase deliverables to the CEC as part of their Build Phase application:

* Conceptual drawings, design plans, and photos of an architectural-scale model of the project. The actual architectural-scale models will be on display during the team’s project presentation at the event, as well as during a model showcase networking session.
* Energy and emissions performance model
* Case study
* Description of the emerging technologies proposed to be used
* Cost Analysis
* Community engagement plan
* Project video
* The following proposal attachments:
  + Attachment 4 - EPIC Application Form (i.e., Design Phase application, confirmed and/or amended, as necessary, for the Build Phase)
  + Attachment 5 - EPIC Executive Summary (i.e., Design Phase application, confirmed and/or amended, as necessary, for the Build Phase)
  + Attachment 6 - EPIC Project Narrative (i.e., Design Phase application, confirmed and/or amended, as necessary, for the Build Phase)
  + Attachment 7 – Project Team Form
  + Attachment 8 – Scope of Work
  + Attachment 9 – Project Schedule
  + Attachment 10 – Budget
  + Attachment 11 – CEQA Compliance Form (Must be filled out again, to reflect at a minimum: (a) changes in the proposed project and (b) any changed external circumstances that are relevant to the prior environmental impact analysis.) (Applicant must confer with Lead Agency, if proposed project has increased in magnitude or changed in a way that is relevant to the prior environmental impact analysis..)
  + Attachment 12 – References and Work Product Form
  + Attachment 13 – Commitment and Support Letters
  + Attachment 14 – Project Performance Metrics
  + Attachment 15 -- Applicant Declaration (must be filled out again)
* Any additional documents necessary for the Agreement amendment package

A distinguished panel of judges and/or Evaluation Committee members will form the Evaluation Committee for the Build Phase. The Committee will recommend four Recipients under the Build Phase for approval by the Energy Commission, based on the scoring rubric (see Section IV.H for the Build Phase scoring rubric). In addition, non-monetary awards – such as “People’s Choice” and “Most Innovative Architectural Design” – will be given. Technical reviewers will be assigned for each of the selection criteria. The technical reviewers will review each of the designs and provide their assessments. The Build Phase Evaluation Committeee will use these assessments as part of their recommendations.

Table 6: Timeline for the Build Phase Application and Selection Process

|  |  |
| --- | --- |
| **Timeline** | **Activity** |
| 8 weeks before the Notice of Proposed Award (NOPA) | * Project teams submit their application materials for the Build Phase to the CEC. * CEC staff provides the Build Phase application materials to Technical Reviewers with expertise in the evaluation criteria shown in Table 5. |
| 5 weeks before the NOPA | * Technical reviewers provide their reviews to CEC staff. * CEC staff provides the technical reviews along with the Build Phase application materials to the panel of judges and/or Evaluation Committee members. * Judges and/or Evaluation Committee members begin their review of the Build Phase proposals. |
| 3 weeks before the NOPA | * Project teams will give 45-minute presentations on their concept to the judges and/or Evaluation Committee members. |
| NOPA Release | * Recommended winners for the Build Phase announced. |
| Six to eight weeks or more after NOPA release | * Preparation of amendments to grant agreement documents for Build Phase. * Publication of Business Meeting Agenda. |
| CEC Business Meeting | * Commission Business Meeting to consider and possibly, approve, amendments to grant agreements for Build Phase award winners. |
| Showcase Event | * A two-minute video developed by all Design Phase project teams will be shown at the Showcase Event. * Project teams will have booths with 3-D models of their project, along with other communication tools of their choosing to discuss with forum attendees (could be virtual). * Winners for nonmonetary awards announced. |

Source: California Energy Commission staff

**5. Build Phase Implementation**

Recipients recommended for the Build Phase will require approval at a CEC Business Meeting before they can begin work with EPIC funding to build-out their design.

After funding for the Build Phase has been approved at a CEC Business Meeting, project teams can begin with construction, commissioning, and operating of their zero-emission, mixed-use development. Project teams will conduct measurement and verification to quantify energy savings and ensure actual zero-emission building operation. Project teams will also produce a case study to document the actions, challenges, and lessons learned from the project.

The scope of work will include the following tasks:

* Administration
* Technology installation and commissioning
* Measurement and verification
* Tech transfer

**Required Products**

Build Phase awardees will be required to complete the following deliverables to accompany the build-out of their zero-emission design:

* Measurement and verification of the advanced energy features to demonstrate project performance and zero-emissions operations
* A case study to document the build-out process and lessons learned
* Technology and knowledge transfer activities, including project site tours to industry stakeholders

**Eligible Costs**

EPIC funds may be used for the following Build Phase activities:

* Administrative costs to manage the grant
* Costs to procure, install, operate, and maintain advanced energy features and energy management systems (see Table 7 for eligible technologies)
* Costs to procure, install, operate, and maintain measurement and verification equipment
* Costs to implement advanced construction practices
* Warranties for emerging technologies
* Costs to document and produce the case study report

Table 7: Eligible Next-Generation Energy Technologies

| **Technology Category** | **Technology or Application** | **Minimum Specifications  (If Applicable)** |
| --- | --- | --- |
| Building Envelope | Automated/Semiautomated air sealing |  |
|  | Building-integrated heat and moisture exchange panels |  |
|  | Dynamic building envelopes |  |
|  | Phase change materials |  |
|  | Vacuum-insulated panels | R-12/in |
|  | Electrochromic fenestration |  |
|  | Envelope treatments for prefabricated and modular construction |  |
|  | Highly insulated fenestration | R-10 |
|  | Cool paints |  |
| HVAC | Low GWP heat pumps | GWP < 150 |
|  | CO2 heat pumps |  |
| Nonvapor compression (i.e membrane-based heat pumps, magnetocaloric, elastocaloric, thermoelastic technologies) |  |
| Advanced building sensors |  |
| Renewable Generation | PV-integrated windows | > 7% conversion efficiency |
|  | Rooftop PV | > 28% conversion efficiency |
| Thin, flexible PV panels | >15% efficiency |
| Software as a Service for Grid Interactive Buildings | Transactive energy |  |
| Building automation |  |
| Vehicle-to-grid integration |  |
| Appliances | DC appliances |  |
| All-electric commercial kitchen appliances |  |
| Power Electronics | Microgrid controller |  |
|  | Solid-state circuit breakers |  |
| Power Electronics | Smart inverters | Rule 21 Phase III advanced inverter functionality |
| Energy Storage | Batteries – lithium ion and non-lithium ion | (Lithium ion >250 Wh/L) |
|  | Flywheel |  |
|  | Thermal storage |  |
| Lighting | Advanced lighting controls systems (ALCS) |  |
|  | Advanced solid-state lighting | 100 lm/W |
|  | Advanced daylighting components |  |
| Domestic Hot Water | Heat pump water heater | CTA-2045 port, or OpenADR Compatible |
| Electric Transportation | EV charging stations and/or service provider with vehicle-to-building and/or vehicle-to-grid capabilities | OpenADR2, OCPP, SAE J1772, SEP2, ISO 15118, and/or OCPI |
| Electric micromobility, shared electric transportation, and associated charging infrastructure with smart charging capabilities |  |

Source: California Energy Commission staff

Additional technologies, beyond those listed in Table 7, may be considered eligible based upon CEC approval during the design phase. In addition, the CEC may modify the minimum specifications for the current list of technologies during the design phase.

## Funding

1. **Amount Available and Minimum/ Maximum Funding Amounts**

There is currently up to $12,000,000 available for the Design Phase portion of this solicitation. There is an additional $36,000,000 in funding available for the Build Phase of this competition contingent upon approval of the CEC’s 2021-2025 EPIC Investment Plan. This would result in a total of up to $48,000,000 planned for grants awarded under this solicitation. (The above does not include the Scale Phase.)

Table 8: Maximum Funding Amounts per Phase

| **Project Group** | **Number of Project Teams (Design Phase)** | **Maximum Project Award (Design Phase)** | **Number of Project Teams (Build Phase)** | **Maximum Project Award (Build Phase)** |
| --- | --- | --- | --- | --- |
| Group 1: Bay Area Region | 3 | $1 million | 1 | $9 million |
| Group 2: Central Valley/Northern California | 3 | $1 million | 1 | $9 million |
| Group 3: Los Angeles Region | 3 | $1 million | 1 | $9 million |
| Group 4: Imperial Valley, Inland Empire, and San Diego County | 3 | $1 million | 1 | $9 million |

The maximum funding amounts for the Build Phase will differ based on the number of bedrooms in the development and whether projects are located in a designated low-income[[6]](#footnote-7) (LI) or disadvantaged community[[7]](#footnote-8) (DAC), see Table 9.

Table 9: Maximum Funding Amounts by Number of Bedrooms

|  |  |  |
| --- | --- | --- |
| **Number of Bedrooms in the Development** | **Maximum Project Award Build Phase (non-DAC or LI)** | **Maximum Project Award Build Phase (DAC or LI)** |
| 50 – 74 | $5 million | $6 million |
| 75 – 99 | $6 million | $7 million |
| 100 – 124 | $7 million | $8 million |
| 125+ | $8 million | $9 million |

1. **Match Funding Requirement**

Match funding is not required for this solicitation. However,applications that include match funding will receive additional points based on the proposed total match (cash + in kind) contributions relative to the total amount of EPIC funds requested during the scoring phase (see Scoring Criteria in Section IV G).

For the definition of match funding see Section I K.

1. **Change in Funding Amount**

Along with any other rights and remedies available to it, the CEC reserves the right to:

* Increase or decrease the available funding and the minimum/maximum award amounts described in this section.
* Allocate any additional or unawarded funds to passing applications, in rank order.
* Reallocate funding between any of the groups.
* Reduce funding to an amount deemed appropriate if the budgeted funds do not provide full funding for agreements. In this event, the Recipient and Commission Agreement Manager will reach agreement on a reduced Scope of Work commensurate with available funding.

## Key Activities Schedule

Key activities, dates, and times for this solicitation and for agreements resulting from this solicitation are presented below, see Table 10. An addendum will be released if the dates change for activities that appear in **bold.**

**Note: Added language appears in bold underline, and deleted language appears in ~~strikethrough~~ and within square brackets.**

Table 10: Key Activities Schedule

|  |  |  |
| --- | --- | --- |
| **ACTIVITY** | **DATE** | **TIME[[8]](#footnote-9)** |
| **Solicitation Release** | December 15, 2020 |  |
| **Pre-Application Workshop** | January 21, 2021 |  |
| **Deadline for Written Questions**[[9]](#footnote-10) | **January 22, 2021** | **5:00 p.m.** |
| **Empower Innovation Event**  **https://www.empowerinnovation.net/en/page/empower-innovation-event-en** | **January 28, 2021** | **8:30 a.m** |
| Anticipated Distribution of Questions and Answers | Week of March 29,2021 |  |
| **Deadline to Submit Concept Application Abstracts** | May 7, 2021 | **5:00 p.m.** |
| Anticipated Posting of Concept Application Abstract Results | Week of June 7, 2021 |  |
| **Deadline to Submit Full Applications for the Design Phase** | September 10, 2021 | **5:00 p.m.** |
| Notice of Proposed Award Posting Date | Week of October 11, 2021 |  |
| Anticipated CEC Business Meeting | January, **2022** [~~2021]~~ |  |
| Anticipated Agreement Start Date – Design Phase Begins | January, **2022**  ~~[2021]~~ |  |
| **Deadline to Submit Application Materials for the Build Phase** | **June 23, 2023** | **5:00 p.m.** |
| Notice of Proposed Award (Build Phase) | Week of July 17, 2023 |  |
| Anticipated CEC Business Meeting (Build Phase Amendment) | August 2023 |  |
| Design Showcase Event | September 2023 |  |
| Build Phase Begins | September 2023 |  |
| Anticipated Agreement End Date | October 2025 |  |

## Notice of Pre-Application Workshop

CEC staff will hold one Pre-Application Workshop to discuss the solicitation with potential applicants. Participation is optional but encouraged. The Workshop will cover the Concept, Design, and Build Phases. The Pre-Application Workshop will be held remotely, consistent with Executive Orders N-25-20 and N-29-20 and the recommendations from the California Department of Public Health to encourage physical distancing to slow the spread of COVID-19.  Applicants may only attend the workshop via the internet (Zoom, see instructions below), or conference call on the date and at the time listed below.  Please call (916) 654-4381 or refer to the CEC's website at www.energy.ca.gov/contracts/index.html to confirm the date and time.

**Date and time:**January 21, 2020 at 10:00 a.m.

**REMOTE ACCESS ONLY**

Any presentations will appear on your computer screen and you may listen to audio via your computer or telephone. Please be aware that the meeting may be recorded.

**Zoom Instructions:**

* To join the Zoom meeting, go to [https://join.zoom.us](https://join.zoom.us/) and enter the Meeting ID and password below:

**Meeting ID:** 91569524632

**Meeting Password:** 627810

**Topic:** Pre-Application Workshop – The Next EPIC Challenge: Reimagining Affordable Mixed-Use Development in a Carbon-Constrained Future

* To Logon with Mobile Access:  Access to Zoom meetings from a mobile device with the Zoom app, visit the [Zoom Download Center](https://zoom.us.download/) at <https://zoom.us/download>. After logging into Zoom, a prompt will appear on-screen for a Meeting ID and then the Meeting Password.

**Telephone Access:**

Call **1-888-475-4499** (toll-free in the U.S) or **1-877-853-5257** (Toll Free). When prompted, enter the Meeting ID and Meeting Password above. International callers may select a number from the [Zoom International Dial-in Number List](https://energy.zoom.us/u/aibCHsX0j) at <https://energy.zoom.us/u/aibCHsX0j>. To comment, dial \*9 to “raise your hand” and \*6 to mute/unmute your phone line.

**Technical Support:**

* For assistance with problems or questions about joining or attending the meeting,

please call Zoom Technical Support at **1-888-799-9666, ext.2.** Or you may visit Zoom’s help center at <https://support.zoom.us/hc/>. You may also contact the CEC’s Public Advisor’s Office at [publicadvisor@energy.ca.gov](mailto:publicadvisor@energy.ca.gov), or by phone at (800) 822-6228.

* System Requirements: To determine whether your computer is compatible, visit:

<https://support.zoom.us/hc/en-us/categories/200101697-Getting-Started>.

* If you have a disability and require assistance to participate, please Erica Rodriguez by e-mail at Erica.Rodriguez@energy.ca.gov or (916) 654-4314 at least five days in advance.

## Questions

During the solicitation process, direct questions to the Commission Agreement Officer listed below:

Phil Dyer, Commission Agreement Officer

California Energy Commission

1516 Ninth Street, MS-18

Sacramento, California 95814

E-mail: [Phil.Dyer@energy.ca.gov](file:///C:/Users/pdyer/AppData/Local/Temp/Temp2_OneDrive_2020-10-08.zip/GFO%20Package/Phil.Dyer@energy.ca.gov)

Applicants may ask questions at the Pre-Application Workshop, and may submit written questions via mail, electronic mail, and by FAX. However, all **technical** questions must be received by the deadline listed in the “Key Activities Schedule” above. Questions received after the deadline may be answered at the CEC's discretion. **Non-technical** questions (e.g., questions concerning application format requirements or attachment instructions) may be submitted to the Commission Agreement Officer (CAO) at any time prior the application deadline.

The questions and answers will also be posted on the Commission’s website at: https://www.energy.ca.gov/funding-opportunities/solicitations

If an applicant discovers a **conflict, discrepancy, omission, or other error** in the solicitation at any time prior to the application deadline, the applicant may notify the CEC in writing and request modification or clarification of the solicitation. The CEC, at its discretion will provide modifications or clarifications by either an addendum to the solicitation or by written notice to all entities that requested the solicitation. At its discretion, the CEC may, in addition to any other actions it may choose, re-open the question/answer period to provide all applicants the opportunity to seek any further clarification required.

**Any verbal communication with a Commission employee concerning this solicitation is not binding on the State and will in no way alter a specification, term, or condition of the solicitation. Therefore, all communication should be directed in writing to the assigned CAO.**

1. **Applicants’ Admonishment**

This solicitation contains application requirements and instructions. Applicants are responsible for **carefully reading** the solicitation, asking appropriate questions in a timely manner, ensuring that all solicitation requirements are met, submitting all required responses in a complete manner by the required date and time, and **carefully rereading** the solicitation before submitting an application. In particular, please carefully read the **Screening/Scoring Criteria and** **Grounds for Rejection** in Part IV, and the relevant EPIC Grant terms and conditions located at: <http://www.energy.ca.gov/research/contractors.html>.

Applicants are solely responsible for the cost of developing applications. This cost cannot be charged to the State. For each phase that requires a NOPA, all submitted documents will become publicly available records upon the posting of the Notice of Proposed Award.

1. **Additional requirements**

* Time is of the essence. Funds available under this solicitation have encumbrance deadlines for the design phase as early as [June 30, 2022].  This means that the CEC must approve proposed awards at a business meeting (usually held monthly) prior to [June 30, 2022] in order to avoid expiration of the funds. Prior to approval and encumbrance, the CEC must comply with the California Environmental Quality Act (CEQA). To comply with CEQA, the Commission must have CEQA-related information from applicants and sometimes other entities, such as local governments, in a timely manner. Unfortunately, even with this information, the Commission may not be able to complete its CEQA review prior to the encumbrance deadline for every project. For example, if a project requires an Environmental Impact Report, the process to complete it can take many months. For these reasons, it is critical that applicants organize project proposals in a manner that minimizes the time required for the Commission to comply with CEQA and provide all CEQA-related information to the Commission in a timely manner such that the Commission is able to complete its review in time for it to meet its encumbrance deadline.
* Reservation of right to cancel proposed award. In addition to any other right reserved to it under this solicitation or that it otherwise has, if the CEC determines, in its sole and absolute discretion, that the CEQA review associated with a proposed project would not likely be completed prior to the encumbrance deadline referenced above, and that the Commission’s ability to meet its encumbrance deadline may thereby be jeopardized, the CEC may cancel a proposed award and award funds to the next highest scoring applicant, regardless of the originally proposed applicant’s diligence in submitting information and materials for CEQA review. Examples of situations that may arise related to CEQA review include but are not limited to:
* Example 1: If another state agency or local jurisdiction, such as a city or county, has taken the role of lead agency under CEQA, the CEC’s review may be delayed while waiting for a determination from the lead agency.
* Example 2: If the proposed work is part of a larger project for which a detailed environmental analysis has been or will be prepared by another state agency or local jurisdiction, the CEC’s review may be delayed as a result of waiting for a supplemental or initial analysis, respectively, from the other agency.
* Example 3: If the nature of the proposed work is such that a project is not categorically or otherwise exempt from the requirements of CEQA, and an initial study or other detailed environmental analysis appears to be necessary, the CEC’s review, or the lead agency’s review, may take longer than the time available to encumber the funds. If an initial study or environmental impact report has already been completed by another state agency or a local jurisdiction, serving as the lead agency, the applicant must ensure that such an analysis covers the work in the proposed project, or must obtain a revised analysis and determination from the lead agency reviewing the proposed project.
* Example 4: If the proposed project clearly falls under a statutory or categorical exemption, or is project for which another state agency or local jurisdiction has already adopted a CEQA finding that the project will cause no significant effect on the environment, the project will likely have greater success in attaining rapid completion of CEQA requirements.

The above examples are not exhaustive of instances in which the CEC may or may not be able to comply with CEQA within the encumbrance deadline, and are only provided as further clarification for potential applicants. Please plan project proposals accordingly.

As described elsewhere in the Manual, a project under this solicitation must: be a new or adaptive reuse project (not just an energy-related retrofit); have at least 50 residential units and one or more other land uses; and meet other requirements. Due to the scale and scope of the proposed projects, a particular project may require an Initial Study at least, and a Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report, rather than fall within a CEQA exemption. Such CEQA review will typically be by a local, lead agency with general governmental powers.[[10]](#footnote-11)

Applicants must disclose CEQA and permit status to compete in the Design Phase. Again, the amount of information the applicant must provide will necessarily be different for applicants having different circumstances. For example, an applicant that only has a site may not have made much progress on environmental review. On the other hand, some applicants may have a development project underway, and may have already competed CEQA review, prior to further design work that could (if successful in the competition) incorporate changes funded by a CEC grant under this solicitation. (Note that should the project change, the applicant may have to have additional CEQA review.)

For success at the Build Phase competition, applicants’s projects must have completed CEQA review by the Lead Agency before the Energy Commission can approve funding under the Build Phase. Applicants should take this into account in proposing schedules, in order to obtain the necessary environmental review. The Design Phase schedule should factor in CEQA review time, so that the applicant’s deliverables for consideration for the Build Phase are ready in time.

1. **Background**
2. **Electric Program Investment Charge (EPIC) Program**

This solicitation will award projects funded by the EPIC, an electricity ratepayer surcharge established by the California Public Utilities Commission (CPUC) in December 2011.[[11]](#footnote-12) The purpose of the EPIC program is to benefit the ratepayers of three investor-owned utilities (IOUs), including Pacific Gas and Electric Co., San Diego Gas and Electric Co., and Southern California Edison Co. The EPIC funds clean energy technology projects that promote greater electricity reliability, lower costs, and increased safety.[[12]](#footnote-13) In addition to providing IOU ratepayer benefits, funded projects must lead to technological advancement and breakthroughs to overcome the barriers that prevent the achievement of the state’s statutory energy goals.[[13]](#footnote-14) The EPIC program is administered by the CEC and the IOUs.

* **Program Areas, Strategic Objectives, and Funding Initiatives**

EPIC projects must fall within the following **program areas** identified by the CPUC:

* Applied research and development;
* Technology demonstration and deployment; and
* Market facilitation

In addition, projects must fall within one of the general focus areas (**“strategic objectives”**) identified in the CEC’s EPIC Investment Plans[[14]](#footnote-15) [[15]](#footnote-16) and within one or more specific focus areas (**“funding initiatives”**) identified in the plan. This solicitation targets the following program area, strategic objective, and funding initiative:

**EPIC 2018-2020 Triennial Investment Plan**

**Strategic Objective** 2.4: Incentivize DER Adoption through Innovative Strategies at the Local Levels

**Funding Initiative 2.4.1**: EPIC Challenge 

**Strategic Objective** 8.2: Demonstrate Emerging Clean Energy Technology Solutions in Disadvantaged Communities

**Funding Initiative 8.2.1**: Investments for Energy Resilient Neighborhoods in Low-Income and Disadvantaged Communities

* **Applicable Laws, Policies, and Background Documents**

This solicitation addresses the energy goals described in the following laws, policies, and background documents.

Laws/Regulations

* **AB 523, Energy and Equity**

AB 523 (Reyes, Chapter 551, Statutes of 2017) requires that at least 25 percent of the technology demonstration and deployment funds for the EPIC program be expended on projects in and benefitting disadvantaged communities and an additional 10 percent of the technology demonstration and deployment funds to be expended on projects in and benefitting low-income communities. Additionally, AB 523 requires the Energy Commission, under the EPIC program, to take into account adverse localized health impacts of proposed projects to the greatest extent possible, and give preference for funding to clean energy projects that benefit residents of low-income or disadvantaged communities.

Additional information: <https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB523>

* **Senate Bill (SB) 100 - The 100 Percent Clean Energy Act of 2018**

SB 100 requires that 100 % of retail sales of electricity to California end-use customers and 100 % of electricity procured to serve all state agencies come from eligible renewable energy resources and zero-carbon resources by December 31, 2045. The bill requires the CPUC and the Energy Commission, in consultation with the California Air Resources Board to ensure that California’s transition to a zero-carbon electric system does not cause or contribute to greenhouse gas emissions (GHG) increases elsewhere in the western grid.

Additional information: https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\_id=201720180SB100

* **California Energy Code**

The Energy Code is a component of the California Building Standards Code, and is published every three years through the collaborative efforts of state agencies including the California Building Standards Commission and the CEC. The Code ensures that new and existing buildings achieve energy efficiency and preserve outdoor and indoor environmental quality through use of the most energy ef­ficient technologies and construction.

Additional information: http://www.energy.ca.gov/title24/

Applicable Law: California Code of Regulations, Title 24, Part 6 and associated administrative regulations in Part 1

Policies/Plans

* **SB350 - Low-Income Barriers Study, Part A: Overcoming Barriers to Energy Efficiency and Renewables for Low-income customers and Small Business Contracting Opportunities in Disadvantaged Communities**

This study, mandated by Senate Bill 350, explores the barriers to and opportunities for expanding low-income customers’ access to energy efficiency, weatherization, and renewable energy investments. It also examines barriers and opportunities related to contracting with small businesses located in disadvantaged communities. This study provides recommendations intended to have a transformative effect on access to clean energy investments for low-income customers and local small businesses in disadvantaged communities.

Additional information: <https://www.energy.ca.gov/rules-and-regulations/energy-suppliers-reporting/clean-energy-and-pollution-reduction-act-sb-350/sb>

* **New Residential Zero Net Energy Action Plan 2015-2020**

The Residential New Construction Zero Net Energy Action Plan supports the California Energy Efficiency Strategic Plan’s goal to have 100 % of new homes achieve zero net energy beginning in 2020. The action plan provides a foundation for the development of a robust and self-sustaining zero net energy market for new homes.

Additional information: http://www.californiaznehomes.com/

* **California’s Existing Buildings Energy Efficiency Action Plan**

The Existing Buildings Energy Efficiency Action Plan provides a 10-year roadmap to activate market forces and transform California’s existing residential, commercial, and public building stock into high performing and energy efficient buildings. The Plan provides a comprehensive framework centered on five goals, each with an objective and a series of strategies to achieve it. Each strategy includes industry and/or government implementation partners. Water related items are addressed in several of the strategies from the Existing Buildings Energy Efficiency Action Plan including but not limited to strategies 1.5, 2.2, 4.1, and 5.7 from the plan.

Additional Information: https://www.energy.ca.gov/programs-and-topics/programs/energy-efficiency-existing-buildings

* **2019 California Energy Efficiency Action Plan**

The Energy Efficiency Action Plan expands on the Existing Buildings Energy Action Plan and includes topics related to existing buildings’ energy efficiency, low-income barriers to energy efficiency, and doubling energy efficiency by 2030. The SB 350 Doubling of Energy Efficiency by 2030 report expands beyond existing buildings to include agriculture, industry, newly constructed buildings, conservation voltage reduction, and electrification. This report combines these topics with the Existing Buildings Energy Efficiency Action Plan to create a comprehensive statewide energy efficiency action plan.

Additional information: https://ww2.energy.ca.gov/efficiency/existing\_buildings/

Reference Documents

Refer to the link below for information about past CEC research projects and activities:

* <http://www.energy.ca.gov/research/>

The following references provide additional background information suggested for applicants:

* Barbosa, Filipe, Jonathan Woetzel, Jan Mischke, Maria João Ribeirinho, Mukund Sridhar, Matthew Parsons, Nick Bertram, and Stephanie Brown. "Reinventing construction: a route to higher productivity." McKinsey Global Institute (2017).
* California Energy Commission Staff. 2016. Low-Income Barriers Study, Part A: Overcoming Barriers to Energy Efficiency and Renewables for Low-Income Customers and Small Business Contracting Opportunities in Disadvantaged Communities. California Energy Commission. Publication Number: 300-2016-009-CMF
* Neukomm, Monica, Valerie Nubbe, and Robert Fares. Grid-Interactive Efficient Buildings. No. DOE/EE-1968. US Department of Energy, Navigant, 2019.
* Vossos, Vagelis, Ruby Heard, Eric Mannarino, Karl Johnson, Daniel Gerber, Mukesh Khuttar, GariKloss, Bruce Nordman, Rich Brown. 2019. Direct Current as an Integrating and Enabling Platform for Zero-Net Energy Buildings. California Energy Commission. Publication Number: CEC-500-2019-038.
* Woetzel, Jonathan, Jan Mischke, Shannon Peloquin, and Daniel Weisfield. "Closing California’s Housing Gap." McKinsey Global Institute, October (2016).
* D. Rolnick, P.L. Donti, L.H. Kaack, K. Kochanski, A. Lacoste, K. Sankaran, A.S. Ross, N. Milojevic-Dupont, N. Jaques, A. Waldman-Brown, A. Luccioni, T. Maharaj, E.D. Sherwin, S.K. Mukkavilli, K.P. Kording, C. Gomes, A.Y. Ng, D. Hassabis, J.C. Platt, F. Creutzig, J. Chayes, Y. Bengio. 2019. Tackling Climate Change with Machine Learning
* Energy Savings Potential and RD&D Opportunities for Non-Vapor-Compression HVAC Technologies. US Department of Energy, Navigant, 2014

1. **Match Funding**

* **“Match funds”** includes cash or in-kind (non-cash) contributions provided by the applicant, subcontractors, or other parties including pilot testing, demonstration, and/or deployment sites (e.g., test site staff services) that will be used in performance of the proposed project.

“Match funds” do not include: CEC awards, EPIC funds received from other sources, future/contingent awards from other entities (public or private), the cost or value of the project work site, or the cost or value of structures or other improvements affixed to the project work site permanently or for an indefinite period of time (e.g., photovoltaic systems).

Definitions of “match funding” categories are listed below:

* + - **“Cash”** **match** means funds that are in the recipient’s possession or proposed by match partner and clearly identified in a support letter, and are reserved for the proposed project, meaning that they have not been committed for use or pledged as match for any other project. Cash match can include funding awards earned or received from other agencies for the proposed technologies or study (but not for the identical work). Proof that the funds exist as cash is required. Cash match will be considered more favorably than in-kind contributions during the scoring phase.
    - **“In-Kind”** **match** is typically in the form of the value of personnel, goods, and services, including direct and indirect costs. This can include equipment, facilities, and other property as long as the value of the contribution is based on documented market values or book values, prorated for its use in the project, and depreciated or amortized over the term of the project using generally accepted accounting principles (GAAP).
* Match funds may be spent only during the agreement term, either before or concurrently with EPIC funds. Match funds also must be reported in invoices submitted to the CEC.
* All applicants providing match funds must submit commitment letters, **including prime and subcontractors**, that: (1) identify the source(s) of the funds; (2) justify the dollar value claimed; (3) provide an unqualified (i.e., without reservation or limitation) commitment that guarantees the availability of the funds for the project; and (4) provide a strategy for replacing the funds if they are significantly reduced or lost. Please see Attachment 11, Commitment and Support Letter Form. Commitment and support letters must be submitted with the application to be considered.
* Any match pledged in Attachment 1 must be consistent with the amount or dollar value described in the commitment letter(s) (e.g., if $5,000 “cash in hand” funds are pledged in a commitment letter, Attachment 1 must match this amount). Only the total amount pledged in the commitment letter(s) will be considered for match funding points.

Examples of preferred match share:

* + - **“Travel”** refers to all travel required to complete the tasks identified in the Scope of Work. Travel includes in-state and out-of-state, and travel to conferences. EPIC funds are limited to lodging and any form of transportation (e.g., airfare, rental car, public transit, parking, mileage). Use of match funds for out-of-state travel is encouraged, as the CEC discourages and may not approve the use of its funds for such travel. If an applicant plans to travel to conferences, including registration fees, they must use match funds. Applicants shall adhere to travel restrictions of using state funds to travel to certain other states pursuant to AB 1887 (2016) and codified at California Government Code Section 11139.8. All applicants are encouraged to consider the Attorney General’s website https://oag.ca.gov/ab1887 for a current list of states subject to travel restrictions. Awarded Grants under this solicitation shall not contain travel paid for with Commission funds (applicants can instead use match funds) to the listed states unless the Commission approves in writing that the trip falls within one of the exceptions under the law.
    - **“Equipment” is** an item with a unit cost of at least $5,000 and a useful life of at least one year. **Purchasing equipment with match funding is encouraged** as there are no disposition requirements at the end of the agreement for such equipment. Typically, grant recipients may continue to use equipment purchased with CEC funds if the use is consistent with the intent of the original agreement.
    - **“Materials”** under Materials and Miscellaneous are items under the agreement that do not meet the definition of Equipment (unit cost of at least $5,000 and a useful life of at least one year). **Using match funds for purchasing items such as laptops, notebooks and/or personal tablets is encouraged, as CEC funds for these purchases is not allowed.**

1. **Funds Spent in California**

* Only CEC reimbursable funds counts towards the funds spent in California total.
* "Spent in California" means that:
  + (1) Funds in the "Direct Labor category and all categories calculated based on direct labor (e.g., fringe benefits, indirect costs and profit) are paid to individuals that pay California state income taxes on wages received for work performed under the agreement. Payments made to out-of-state workers do not count as “funds spent in California.” However, funds spent by out-of-state workers in California (e.g., hotel and rental vehicles) can count as “funds spent in California.”; AND
  + (2) Business transactions (e.g., material and equipment purchases, leases, and rentals) are entered into with a business located in California.
  + (3) Total should include any applicable subcontractors.
* Airline ticket purchases for out-of-state travel and payments made to out-of-state workers are not considered funds “spent in California.” However, funds spent by out-of-state workers in California (e.g. lodging) and airline travel originating and ending in California are considered funds “spent in California.” A business located in California means: 1) businesses registered with Secretary of State AND 2) transaction is with a location in California that is directly related to the grant project (e.g., direct purchase of material and equipment to be used in the grant) and results in the support of California business and jobs.
  + Example 1: Grant funds will be spent on temperature sensors.  The temperature sensors are manufactured in Texas. The recipient orders the temperature sensors directly from a CA based supply house.  The invoice shows that the transaction occurred with the CA based supply house. This transaction is eligible and can be counted as funds spent in CA.
  + Example 2: Grant funds will be spent on temperature sensors. The temperature sensors are manufactured in Texas. The recipient orders the temperature sensors directly from Texas.  The manufacturer has training centers in CA that instructs purchasers on how to use the sensors. The invoice shows that the transaction occurred in Texas. This transaction is not eligible and cannot be counted as funds spent in CA.

# II. Eligibility Requirements

## Applicant Requirements

1. **Eligibility**

The Concept Application of this solicitation is open to all public and private entities with the exception of local publicly owned electric utilities.[[16]](#footnote-17) In accordance with CPUC Decision 12-05-037, funds administered by the CEC may not be used for any purposes associated with local publicly owned electric utility activities.

The Design Phase of this solicitation is only open to Applicants who passed the screening criteria shown in Section IV.E from Concept Application Phase.

The Build Phase of this solicitation is only open to awarded Recipients from the Design Phase.

1. **Terms and Conditions**

Each grant agreement resulting from this solicitation will include terms and conditions that set forth the recipient’s rights and responsibilities. By signing the Application Form (Attachment 1), each applicant agrees to enter into an agreement with the CEC to conduct the proposed project according to the terms and conditions that correspond to its organization, without negotiation: (1) University of California and California State University terms and conditions; (2) U.S. Department of Energy terms and conditions; or (3) standard terms and conditions. All terms and conditions are located at http://www.energy.ca.gov/research/contractors.html. Please refer to the applicable EPIC Grant terms and conditions. Failure to agree to the terms and conditions by taking actions such as failing to sign the Application Form or indicating that acceptance is based on modification of the terms will result in **rejection** of the application. Applicants **must** **read** the terms and conditions carefully.The CEC reserves the right to modify the terms and conditionsprior to executing grant agreements.

1. **California Secretary of State Registration**

All corporations, limited liability companies (LLCs), limited partnerships (LPs) and limited liability partnerships (LLPs) that conduct intrastate business in California are required to be registered and in good standing with the California Secretary of State prior to its project being recommended for approval at an CEC Business Meeting.  If not currently registered with the California Secretary of State, applicants are encouraged to contact the Secretary of State’s Office as soon as possible to avoid potential delays in beginning the proposed project(s) (should the application be successful).  For more information, contact the Secretary of State’s Office via its website at www.sos.ca.gov.  Sole proprietors using a fictitious business name must be registered with the appropriate county and provide evidence of registration to the CEC prior to their project being recommended for approval at an CEC Business Meeting.

1. **Disadvantaged & Low-income Communities**

At least 25% of available Electric Program Investment Charge (EPIC) technology demonstration and deployment funding must be allocated to project sites located in, and benefiting, disadvantaged communities; and an additional minimum 10% of funds must be allocated to projects sites located in and benefiting low-income communities.[[17]](#footnote-18) The CEC in administering EPIC must also take into account adverse localized health impacts of proposed projects to the greatest extent possible,[[18]](#footnote-19) and give preference for funding to clean energy projects that benefit residents of low-income or disadvantaged communities.[[19]](#footnote-20)

“Disadvantaged communities” are defined as the top 25% scoring census tracts from CalEnviroScreen 3.0 along with other areas with high amounts of pollution and low populations.

“Low-income communities” are defined as communities within census tracts with median household incomes at or below either of the following levels:

1. Eighty percent of the statewide median income.
2. The applicable low-income threshold listed in the state income limits updated by the Department of Housing and Community Development and filed with the Office of Administrative Law pursuant to subdivision (c) of Section 50093 of the Health and Safety Code.

Visit the California Department of Housing & Community Development site for the current HCD State Income Limits: http://www.hcd.ca.gov/grants-funding/income-limits/index.shtml. Disadvantaged communities are defined as areas representing census tracts scoring in the top 25% in CalEnviroScreen 3.0. For more information on disadvantaged communities and to determine if your project is in a disadvantaged community, use the California Communities Environmental Health Screening tool (CalEnviroScreen 3.0):

<https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30>

Another resource is the Healthy Places Index Tool for California, located at: <https://healthyplacesindex.org/>

## Project Requirements

1. **Technology Demonstration and Deployment and Market Facilitation Stages**

Projects must fall within the “technology demonstration and deployment” and “market facilitation” stages. The “technology demonstration and deployment” stage involves the installation and operation of pre-commercial technologies or strategies at a scale sufficiently large and in conditions sufficiently reflective of anticipated actual operating environments to enable appraisal of operational and performance characteristics, and of financial risks.**[[20]](#footnote-21)**

The “market facilitation” stage includes activities such as program tracking, market research, education and outreach, regulatory assistance and streamlining, and workforce development to support clean energy technology and strategy deployment.**[[21]](#footnote-22)**

1. **Ratepayer Benefits, Technological Advancements, and Breakthroughs**

California Public Resources Code Section 25711.5(a) requires EPIC-funded projects to:

* Benefit electricity ratepayers; and
* Lead to technological advancement and breakthroughs to overcome the barriers that prevent the achievement of the state’s statutory energy goals.

The CPUC defines “ratepayer benefits” as greater reliability, lower costs, and increased safety.**[[22]](#footnote-23)** The CPUC has also adopted the following guiding principles as complements to the key principle of electricity ratepayer benefits: societal benefits; GHG emissions mitigation and adaptation in the electricity sector at the lowest possible cost; the loading order; low-emission vehicles/transportation; economic development; and efficient use of ratepayer monies.**[[23]](#footnote-24)**

Accordingly, the Project Narrative Form (Attachment and the “Goals and Objectives” section of the Scope of Work Template (Attachment) must describe how the project will: (1) benefit California IOU ratepayers by increasing reliability, lowering costs, and/or increasing safety; and (2) lead to technological advancement and breakthroughs to overcome barriers to achieving the state’s statutory energy goals. Any estimates of energy and water savings or GHG impacts must be calculated using the References for Calculating Electricity End-Use, Electricity Demand, and GHG Emissions (Attachment).

1. **Knowledge Transfer Expenditures**

To maximize the impact of EPIC projects and to promote the further development and deployment of EPIC-funded technologies, a minimum of 5 percent of CEC funds requested should go towards knowledge transfer activities. Appropriate knowledge transfer activities for this solicitation are listed in the Scope of Work Template (Attachment). The Budget Forms (Attachment) should clearly distinguish funds dedicated for knowledge transfer.

1. Measurement and Verification Plan

The Project Narrative for the Build Phase (Attachment) must include a Measurement and Verification Plan that describes how actual project benefits will be measured and quantified. The activities proposed in the Measurement and Verification Plan must be included in the “Technical Tasks” section of the Scope of Work Template (Attachment)

1. Community Based Organizations

In TD&D solicitations for proposed projects located in and benefiting low-income and/or disadvantaged communities within IOU service territories, the project must allocate appropriate funding for CBO engagement for relevant tasks under the scope of work.

Community Based Organizations (CBO) should meet, and will be evaluated on, the following criteria for this solicitation:

1. Has an office in the region (e.g., air basin or county) and meets the demographic profile of the communities they serve.
2. Has deployed projects and/or outreach efforts within the region (e.g., air basin or county) of the proposed disadvantaged or low-income community.
3. Have official mission and vision statements that expressly identifies serving disadvantaged and/or low-income communities.
4. Currently employs staff member(s) who specialized in and are dedicated to – diversity, or equity, or inclusion, or is a 501(c)(3) non-profit.

# III. Application Organization and Submission Instructions

## Application Format, Page Limits, and Number of Copies

The following table summarizes the application formatting and page limit recommendations for the Concept Application Phase applications (Table 11):

Table 11: Concept Application Format, Page Limits, and Number of Copies

|  |  |
| --- | --- |
|  | |
| **Format** | * **Font:** 11-point, Arial (excluding Excel spreadsheets, original template headers and footers, and commitment or support letters) * **Margins:** No less than one inch on all sides (excluding headers and footers) * **Spacing:** Single spaced, with a blank line between each paragraph * **Signatures**: Wet signatures or certified electronic signature * **File Format:** MS Word version 2007 or later (.doc or .docx format), excluding Excel spreadsheets and commitment or support letters (PDF files are acceptable for the letters) * **File Storage:** Electronic files of the application must be submitted on a USB memory stick when submitting via **hard copy.** |
| **Maximum Page Limit Recommendations** | * Application Form (Attachment 1): no page limits * Abstract Project Summary Form (Attachment 2): **ten** pages * **Optional** Commitment and Support Letters (Attachment 3): no page limits |
| **Number of Copies of the Application** | For Hard Copy Submittal Only:   * **One** hard copy (with signatures) * **One** electronic copy (On USB memory stick) |

The following table summarizes the application formatting and page limit recommendations for the Design Phase applications (Table 12):

Table 12: Design Phase Application Format, Page Limits, and Number of Copies

|  |  |
| --- | --- |
|  | |
| **Format** | * **Font:** 11-point, Arial (excluding Excel spreadsheets, original template headers and footers, and commitment or support letters) * **Margins:** No less than one inch on all sides (excluding headers and footers) * **Spacing:** Single spaced, with a blank line between each paragraph * **Signatures**: Wet signatures only or certified electronic signature * **File Format:** MS Word version 2007 or later (.doc or .docx format), excluding Excel spreadsheets and commitment or support letters (PDF files are acceptable for the letters) * **File Storage:** Electronic files of the application must be submitted on a USB memory stick when submitting via **hard copy.** |
| **Maximum Page Limit Recommendations** | * **Executive Summary** (Attachment): **two** pages * **Project Narrative Form** (Attachment): **twenty** pages excluding documentation for CEQA * **Project Team Form** (Attachment): **two** pages for each resume * **References and Work Product Form** (Attachment): **one** page for each reference, **two** pages for each project description * **Commitment and Support Letter Form** (Attachment): **two** pages, excluding the cover page * **Scope of Work** (Attachment): **thirty** pages * **Project Schedule** (Attachment): **four** pages * There are no page limits for the following:   + **Application Form** (Attachment)   + **Budget Forms** (Attachment)   + **CEQA Compliance Form** (Attachment)   + **Project Performance Metrics** (Attachment) |
| **Number of Copies of the Application** | For Hard Copy Submittal Only:   * **One** hard copy (with signatures) * **One** electronic copy (On USB memory stick) |

The CEC may have waived the requirement for a signature on application materials for this solicitation. If a notice regarding CEC’s waiver of the signature requirement appears here: https://www.energy.ca.gov/funding-opportunities/solicitations, the waiver applies to this solicitation. In the event of a conflict between the notice and any language in this solicitation regarding signatures, the notice will govern.

Deliverables used in the determination of recipients for the Build Phase will be in accordance with the Scope of Work for Design Phase and the California Energy Commission Style Manual, which can be found here: <https://ww2.energy.ca.gov/2020publications/CEC-180-2020-001/CEC-180-2020-001.pdf>.

## Preferred Method For Delivery

Applications submitted by email will not be accepted.

The preferred method of delivery for this solicitation is the CEC Grant Solicitation System, available at: https://gss.energy.ca.gov/. This online tool allows applicants to submit their electronic documents to the CEC prior to the date and time specified in this solicitation. Electronic files must be in Microsoft Word XP (.doc format) and Excel Office Suite formats unless originally provided in the solicitation in another format.  Attachments requiring signatures may be scanned and submitted in PDF format.  Completed Budget Forms, Attachment 5, must be in Excel format.  **The system will not allow applications to be submitted after the application due date and time.**

First time users must register as a new user to access the system. Applicants will receive a confirmation email after all required documents have been successfully uploaded. You may contact the Commission Agreement Officer identified in the Questions section of the solicitation for more assistance.

## Hard Copy Delivery

Delivery: Due to COVID-19, application hard copies will only be accepted via U.S. Mail, Federal Express (FedEx), or United Parcel Service (UPS). **In order to be consistent with orders and recommendations from state and local officials to encourage physical distancing to slow the spread of COVID-19, in-person delivery of applications will not be allowed.**

Applications submitted in hard copy must be delivered via U.S. Mail, FedEx, or UPS to the CEC’s Contracts, Grants and Loans Office during normal business hours and prior to the date and time specified in this solicitation. In-person application drop-offs will not be accepted. Applications received after the specified date and time are considered late and will not be accepted. There are no exceptions. Postmark dates of mailing, e-mail, and facsimile (FAX) transmissions are not acceptable in whole or in part, under any circumstances.

There is no need to submit a hard copy of an application that is submitted through the Grant Solicitation System as it will only cause confusion.

**Number of Copies**

Applicants submitting a hard copy application are only required to submit one paper copy.  Applicants must also submit electronic files of the application on **USB memory stick** along with the paper submittal.  **Electronic files submitted via e-mail will not be accepted**.

**Packaging and Labeling**

All hard copy applications must be labeled "Grant Funding Opportunity GFO-20-305," and include the title of the application.

Include the following label information on the mailing envelope:

|  |  |
| --- | --- |
| Applicant’s Project Manager  Applicant’s Name  Street Address  City, State, and Zip Code |  |
|  | GFO-20-305  Contracts, Grants, and Loans Office, MS-18 California Energy Commission  1516 Ninth Street, 1st Floor  Sacramento, California 95814 |

## Application Organization and Content

1. For all hard copy submittals, submit attachments in numerical order.
2. Label the proposal application cover “Grant Funding Opportunity GFO-20-305” and include: (a) the title of the application; and (b) the applicant’s name.
3. Separate each section of the application by Attachment number and section title indicated below.

Below is a description of each required section of the application. Completeness in submitting are the required information requested in each attachment will be factored into the scoring:

1. Concept Application - Application Form (Attachment 1)

This form requests basic information about the applicant and the project. The application must include an Applicant Form that includes all requested information. The Application Form must be signed by an authorized representative of the applicant’s organization or will be failed as indicated in Section IV.E.

The CEC may have waived the requirement for a signature on application materials for this solicitation. If a notice regarding CEC’s waiver of the signature requirement appears here: <https://www.energy.ca.gov/funding-opportunities/solicitations>, the waiver applies to this solicitation. In the event of a conflict between the notice and any language in this solicitation regarding signatures, the notice will govern.

1. Concept Application - Project Abstract (Attachment 2)

The Project Abstract summarizes key project details such as the goals and objectives of the project and how they align with the solicitation objectives, the technical innovations proposed by the project, and expected benefits to the residents and community. The project abstract will be a maximum of ten pages and will include the applicant’s responses to the questions in the Concept Application Evaluation Criteria, Table 13 (see in Section IV.E).

1. (Optional) Concept Application - Commitment and Support Letter Form (Attachment 3)

See description for Attachment 13 in this section (Section III.D.13). If the applicant has a site identified by this time *and* is able to prepare itself, or obtain, a commitment letter regarding the site, the applicant is encouraged to include such a letter. Applicants not in these circumstances are not expected to have a commitment letter regarding a site.

Commitment letters are completely optional for the Concept Application.

1. Full Application - Application Form (Attachment 4)

This form requests basic information about the applicant and the project. The application must include an Applicant Form that includes all requested information. The Application Form must be signed by an authorized representative of the applicant’s organization or will be failed as indicated in Section IV.E. (This is the same blank form as for Attachment 1, but the applicant must confirm or update all of the information, and submit it as Attachment 4.)

The CEC may have waived the requirement for a signature on application materials for this solicitation. If a notice regarding CEC’s waiver of the signature requirement appears here: <https://www.energy.ca.gov/funding-opportunities/solicitations>, the waiver applies to this solicitation. In the event of a conflict between the notice and any language in this solicitation regarding signatures, the notice will govern.

1. Full Application - Executive Summary Form (Attachment 5)

The Executive Summary includes: a project description; the project goals and objectives to be achieved; an explanation of how the goals and objectives will be achieved, quantified, and measured; and a description of the project tasks and overall management of the agreement.

1. Full Application - Project Narrative Form (Attachment 6)

This form will include the majority of the applicant’s responses to the Scoring Criteria in Section IV, including the following which must be addressed for both Applied Research & Technology Demonstration projects:

* 1. **Group Specific Questions** 
     + Include required group specific information (see Section I.C.) in the specified sections.
  2. **Project Readiness**
     + Include information about the permitting required for the project and whether or not the permitting has been completed. If complete, provide appropriate documentation. If local jurisdiction CEQA review and project approval is not complete, applications must include information documenting progress towards and a schedule for achieving compliance under CEQA within the timeframes specified in this solicitation (see Section I.I). All supporting CEQA documentation must be included in Attachment 8.

1. Full Application - Project Team Form (Attachment 7)

Identify by name all key personnel[[24]](#footnote-25) assigned to the project, including the project manager and principal investigator (if applicable), and individuals employed by any major subcontractor (a major subcontractor is a subcontractor receiving at least 25% of Commission funds or $100,000, whichever is less). Clearly describe their individual areas of responsibility. Include the information required for each individual, including a resume (maximum two pages, printed double-sided).

1. Full Application - Scope of Work Template (Attachment 8)

Applicants must include a completed Scope of Work for each project, as instructed in the template. The Scope of Work identifies the tasks required to complete the project. See requirements in section III.A.

Electronicfiles for the Scope of Work must be in **MS Word** file format**.**

1. Full Application - Project Schedule (Attachment 9)

The Project Schedule includes a list of all product, meetings, and due dates. All work must be scheduled for completion by the Anticipated Agreement End Date listed in the Key Activities Schedule in Section I.E.

Electronic files for the Project Schedule must be in MS Excel file format.

1. Full Application - Budget Forms (Attachment 10)

The budget forms are in MS Excel format. Detailed instructions for completing them are included in Attachment 7.  **Read the instructions before completing the worksheets**. Complete and submit information on **all** budget worksheets. The salaries, rates, and other costs entered on the worksheets will become a part of the final agreement.

1. All project expenditures (match share and reimbursable) must be made within the approved agreement term. Match share requirements are discussed in Part I of this solicitation. The entire term of the agreement and projected rate increases must be considered when preparing the budget.
2. The budget must reflect estimates for **actual** costs to be incurred during the agreement term. The CEC may only approve and reimburse for actual costs that are properly documented in accordance with the grant terms and conditions. Rates and personnel shown must reflect the rates and personnel the applicant would include if selected as a Recipient.
3. The proposed rates are considered capped and may not change during the agreement term. The Recipient will only be reimbursed for **actual** rates up to the rate caps.
4. The budget must NOT include any Recipient profit from the proposed project, either as a reimbursed item, match share, or as part of overhead or general and administrative expenses (subcontractor profit is allowable, though the maximum percentage allowed is 10 % of the total subcontractor rates for labor, and other direct and indirect costs as indicated in the Category Budget form). Please review the terms and conditions and budget forms for additional restrictions and requirements.
5. The budget must allow for the expenses of all meetings and products described in the Scope of Work. Meetings may be conducted at the CEC or by conference call, as determined by the Commission Agreement Manager.
6. Applicants must budget for permits and insurance. Permitting costs may be accounted for in match share. Permit costs and the expenses associated with obtaining permits are not reimbursable under this Agreement with CEC funds, with the exception of costs incurred by University of California recipients.
7. The budget must NOT identify that EPIC funds will be spent outside of the United States or for out-of-country travel.  However, match funds may cover these costs if there are no legal restrictions.
8. All applicants should go to the Attorney General’s website https://oag.ca.gov/ab1887 for a current list of states subject to travel restrictions. Grants awarded under this solicitation shall not contain travel paid for with Commission funds (applicants can instead use match funds) to the listed states unless the Commission approves in writing that the trip falls within one of the exceptions under the law.
9. **Prevailing wage requirement:** Projects that receive an award of public funds from the CEC often involve construction, alteration, demolition, installation, repair or maintenance work over $1,000. For this reason, projects that receive an award of public funds from the CEC are likely to be considered public works under the California Labor Code. See Chapter 1 of Part 7 of Division 2 of the California Labor Code, commencing with Section 1720 and Title 8, California Code of Regulations, Chapter 8, Subchapter 3, commencing with Section 16000.

Projects deemed to be public works require among other things the payment of prevailing wages, which can be significantly higher than non-prevailing wages. Applicants are encouraged to consult with their attorneys regarding prevailing wage requirements. Applicants should consider the possibility that prevailing wages requirements would apply to the CEC-funded activities, and factor this into cost estimates. **In addition, Applicants should consider whether and how the prevailing wage requirements might apply not only to the part funded by CEC funds, but also to the entire land-use development, if the Applicant receives CEC funds under a grant**. Note that the Department of the Industrial Relations (DIR) and/or the courts determine what is a public works project and what is not. The CEC is not the evaluator of such questions.

By accepting this grant, Recipient as a material term of this agreement shall be fully responsible for complying with all California public works requirements including but not limited to payment of prevailing wage. Therefore, as a material term of this grant, Recipient must either:

(a) Proceed on the assumption that the project is a public work and ensure that:

1. prevailing wages are paid; and
2. the project budget for labor reflects these prevailing wage requirements; and
3. the project complies with all other requirements of prevailing wage law including but not limited to keeping accurate payroll records, and complying with all working hour requirements and apprenticeship obligations;

or,

(b) Timely obtain a legally binding determination from the Department of Industrial Relations or a court of competent jurisdiction before work begins on the project that the proposed project is not a public work.

1. Full Application - California Environmental Quality Act (CEQA) Compliance Form (Attachment 11)

The CEC requires the information on this form to facilitate its evaluation of proposed activities under CEQA (California Public Resources Code Section 21000 et. seq.), a law that requires state and local agencies in California to assess the potential environmental impacts of their proposed actions. The form will also help applicants to determine CEQA compliance obligations by identifying which proposed activities may be exempt from CEQA and which activities may require additional environmental review. If proposed activities are exempt from CEQA (such as paper studies), the worksheet will help to identify and document this. Because CEQA considers “the whole of the project,” if any activities require environmental review, the entire project requires environmental review. Attachment 11 must be completed regardless of whether the proposed activities are considered a “project” under CEQA by the Lead Agency.

Failure to complete the CEQA process in a timely manner after the CEC’s Notice of Proposed Award may result in the cancellation of a proposed award and allocation of funding elsewhere, such as to the next highest-scoring project.

1. Full Application - References and Work Product Form (Attachment 12)
   * 1. Section 1: Provide applicant and subcontractor references as instructed.
     2. Section 2: Provide a list of past projects detailing technical and business experience of the applicant (or any member of the project team) that is related to the proposed work. Identify past projects that resulted in market-ready technology, advancement of codes and standards, and/or advancement of state energy policy. Include copies of up to three of the applicant or team member’s recent publications in scientific or technical journals related to the proposed project, as applicable.
2. Full Application - Commitment and Support Letter Form (Attachment 13)

A commitment letter commits an entity or individual to providing the service or funding described in the letter. A support letter details an entity or individual’s support for the project. Commitment and Support Letters must be submitted with the application. Letters that are not submitted by the application deadline will not be reviewed and counted towards meeting the requirement specified in the solicitation.

1. Commitment Letters

Applicants must submit a **match funding** commitment letter signedby arepresentative of each entity or individual that is committing to providing match funding. The letter must: (1) identify the source(s) of the funds; (2) justify the dollar value claimed; (3) make an unqualified (i.e. without reservation or limitation) commitment in the latter that guarantees the availability of the funds for the project; and (4) include a strategy for replacing the funds if they are significantly reduced or lost.

* If the project involves **deployment activities**, the applicant must include a site commitment letter signed by an authorized representative of the proposed deployment site. The letter must: (1) identify the location of the site (street address, parcel number, tract map, plot map, etc.) which must be consistent with Attachments 1 and 8. and (2) unconditionally commit to providing the site for the proposed activities.
* **Project partners** that are making contributions other than match funding or a deployment site, and are not receiving CEC funds, must submit a commitment letter signed by an authorized representative that: (1) identifies how the partner will contribute to the project; and (2) unconditionally commits to making the contribution.

1. Support Letters

All applicants must include at least one support letter from a project stakeholder (i.e., an entity or individual that will benefit from or be involved in the project) that: (1) describes the stakeholder’s interest or involvement in the project; (2) indicates the extent to which the project has the support of the relevant industry and/or organizations; and (3) describes any support it intends (but does not necessarily commit) to provide for the project, such as funding or the provision of a deployment site.

The CEC may have waived the requirement for a signature on application materials for this solicitation. If a notice regarding CEC’s waiver of the signature requirement appears here: <https://www.energy.ca.gov/funding-opportunities/solicitations>, the waiver applies to this solicitation. In the event of a conflict between the notice and any language in this solicitation regarding signatures, the notice will govern.

1. Full Application - Project Performance Metrics (Attachment 14)

The purpose of this questionnaire is to identify and document 5-7 performance targets for the project. The performance targets should be a combination of scientific, engineering and techno-economic metrics that provide the most significant indicator of the research or technology’s potential success.

1. Full Application - Applicant Declaration (Attachment 15)

This form requests the applicant declare that it: (1) is not delinquent on taxes; (2) has not had its California business registration suspended by the California Franchise Tax Board; (3) has not filed for bankruptcy in the last 10 years; (4) is not currently planning to file for bankruptcy; (5) is registered to do business in California; (6) is not actively being sued to its knowledge nor is being investigated by any government agency; (7) is in compliance with the terms of all settlement agreements, if any, entered into with the CEC or another public agency or entity; (8) is in compliance with all judgments, if any, issued against the Applicant in any lawsuit or other matter to which the CEC or another government agency is a party; (9) is complying with any demand letter made on the Applicant by the CEC or another government agency; (10) is not in active litigation with the CEC regarding the Applicant’s actions under a current or past contract, grant, or loan with the CEC, and (11) has not failed to provide a final report under any CEC agreement that has ended within the past five years. The declaration must be signed under penalty of perjury by an authorized representative of the applicant’s organization.

# IV. Evaluation and Award Process

## Application Evaluation

Applications will be evaluated and scored based on responses to the information requested in this solicitation and on any other information available, such as on past performance of CEC agreements. To evaluate Concept Applications and Design Phase - Full Applications, the CEC will organize an Evaluation Committee that consists primarily of CEC staff. The Evaluation Committee may use technical expert reviewers to provide an analysis of applications; Build Phase Selection will include a panel of judges and/or Evaluation Committee members. Applications will be evaluated as follows:

1. **Concept Application**

This phase consists of a Project Abstract (Attachment 6), limited to 10 pages, that will be screened using the Concept Application Screening and Evaluation Criteria in **Section E** of this Part (Section IV.E). Project Abstracts will be scored on a pass/fail basis. See Section III.A for information on Project Abstract format, required documents, and delivery.

1. **Full Application (Design Phase)**
   1. **Screening**

The Contracts, Grants, and Loans Office and/or the Evaluation Committee will screen applications for compliance with the Screening Criteria in **Section F** of this Part (Section IV.F). **Applications that fail any of the screening criteria will be rejected.**The Evaluation Committee may conduct optional in-person or telephone **Clarification Interviews** with applicants during the screening process to clarify and/or verify information submitted in the application. However, these interviews may not be used to change or add to the content of the original application. Applicants will not be reimbursed for time spent answering clarifying questions.

* 1. **Scoring**

Applications that pass Concept Application and Design Phase Application Screening will be submitted to the Evaluation Committee for review and scoring based on the Scoring Criteria in **Section G** of this Part (Section IV.G).

* + - * The scores for each application will be the average of the combined scores of all Evaluation Committee members.
* Clarification Interviews: The Evaluation Committee may conduct optional in-person

or telephone interviews with applicants during the evaluation process to clarify and/or verify information submitted in the application. However, these interviews may not be used to change or add to the content of the original application. Applicants will not be reimbursed for time spent answering clarifying questions.

* The application must receive a minimum score of **80.5 points for Criteria 1−10, and 98.00 points for Criteria 1-13** to be eligible for funding.

1. **Build Phase Competition**

Applications that are successfully awarded as part of the Design Phase will be eligible for the Build Phase. Stage four evaluation to advance to the Build Phase will be based on Design Phase deliverables submitted as part of the application to the Build Phase. A distinguished panel of judges and/or the Evaluation Committee members will recommend four applicants, based on the Build Phase Application Evaluation, to the Energy Commission for approval. Rubric for the following categories: technology, construction, external impact, other, bonus points. See Section H of this Part (Section IV.H).

1. **Scale Phase Competition**

The Scale Phase is dependent upon the availability of future funding. Applications that are successfully awarded as part of the Build Phase will be eligible for the Scale Phase. A subsequent competitive solicitation may be forthcoming near the end of the Build Phase.

## Ranking, Notice of Proposed Award, and Agreement Development

1. **Ranking and Notice of Proposed Award**

Applications that receive at least the minimum required score for all criteria will be ranked according to their score. (The following text applies to both the Design Phase competition and the Build Phase competition.)

* CEC staff will post a **Notice of Proposed Award (NOPA)** that includes: (1) the total proposed funding amount; (2) the rank order of applicants; and (3) the amount of each proposed award. The CEC will post the NOPA at its headquarters in Sacramento and on its website, and will mail it to all entities that submitted an application. Proposed awards must be approved by the CEC at a business meeting.
* **Debriefings:** Unsuccessful applicants may request a debriefing after the release of the NOPA by contacting the Commission Agreement Officer listed in Part I. A request for debriefing must be received **no later than 30 calendar days** after the NOPA is released.
* In addition to any of its other rights, the CEC reserves the right to:
  + Allocate any additional funds to passing applications, in rank order; and
  + Negotiate with successful applicantstomodify the project scope, schedule, project team entity that will receive the award, location and/or level of funding.

1. **Agreements**

Applications recommended for funding will be developed into a proposed grant agreement to be considered at a CEC Business Meeting. Recipients may begin the project only after full execution of the grant agreement (i.e., approval at a CEC Business Meeting and signature by the Recipient and the CEC).

* **Agreement Development:** The Contracts, Grants, and Loans Office will send the Recipient a grant agreement for approval and signature. The agreement will include the applicable terms and conditions and will incorporate this solicitation and the Recipient’s application by reference. The CEC reserves the right to modify the award documents (including the terms and conditions) prior to executing any agreement.
* **Failure to Execute an Agreement:** If the CEC is unable to successfully execute an agreement with an applicant in a timely manner, it reserves the right to cancel the pending award and use the funds elsewhere, such as to fund the next highest-ranked, eligible application.
* **Agreement Amendment:** The executed agreement may be amended by mutual consent of the CEC and the Recipient. The agreement may require an amendment as a result of project review, changes in project scope, and/or availability in funding.

## Grounds to Reject an Application or Cancel an Award

Applications that do not pass the screening stage will be rejected. In addition, the CEC reserves the right to reject an application and/or to cancel an award for any reason, including any of the following:

* The application contains false or intentionally misleading statements or references that do not support an attribute or condition contended by the applicant.
* The application is intended to erroneously and fallaciously mislead the State in any way.
* The application does not comply or contains caveats that conflict with the solicitation, and the variation or deviation is material.
* The applicant has previously received funding through an EPIC or Public Interest Energy Research (PIER) agreement, has received the royalty review letter (which the CEC annually sends out to remind past recipients of their obligations to pay royalties), and has not responded to the letter or is otherwise not in compliance with repaying royalties.
* The applicant has received unsatisfactory agreement evaluations from the CEC or another California state agency.
* The applicant is a business entity required to be registered with the California Secretary of State and is not in good standing.
* The applicant has not demonstrated that it has the financial capability to complete the project.
* The applicant fails to meet CEQA compliance within sufficient time for the CEC to meet its encumbrance deadline or any other deadlines, as the CEC in its sole and absolute discretion may determine.
* The applicant has included a statement or otherwise indicated that it will not accept the terms and conditions, or that acceptance is based on modifications to the terms and conditions.
* The application contains confidential information or identifies any portion of the application as confidential.

## Miscellaneous

1. **Solicitation Cancellation and Amendment**

It is the policy of the CEC not to solicit applications unless there is a bona fide intention to award an agreement. However, if it is in the State’s best interest, the CEC reserves the right, in addition to any other rights it has, to do any of the following:

* Cancel this solicitation;
* Revise the amount of funds available under this solicitation;
* Amend this solicitation as needed; and/or
* Reject any or all applications received in response to this solicitation.

If the solicitation is amended, the CEC will send an addendum to all entities that requested the solicitation, and will also post it on the CEC’s website at: www.energy.ca.gov/contracts. The CEC will not reimburse applicants for application development expenses under any circumstances, including cancellation of the solicitation.

1. **Modification or Withdrawal of Application**

Applicants may withdraw or modify a submitted application before the deadline to submit applications by sending a letter to the Commission Agreement Officer listed in Part I. Applications cannot be changed after that date and time. An Application cannot be “timed” to expire on a specific date. For example, a statement such as the following is non-responsive to the solicitation: “This application and the cost estimate are valid for 60 days.”

1. **Confidentiality**

Though the entire evaluation process from receipt of applications up to the posting of the NOPA is confidential, **all submitted documents will become publicly available records** after the CEC posts the NOPA or the solicitation is cancelled. **The CEC will not accept or retain applications that identify any portion as confidential.**

1. **Solicitation Errors**

If an applicant discovers any ambiguity, conflict, discrepancy, omission, or other error in the solicitation, the applicant should immediately notify the CEC of the error in writing and request modification or clarification of the solicitation. The CEC will provide modifications or clarifications by written notice to all entities that requested the solicitation. The CEC will not be responsible for failure to correct errors.

1. **Immaterial Defect**

The CEC may waive any immaterial defect or deviation contained in an application. The CEC’s waiver will not modify the application or excuse the successful applicant from full compliance with solicitation requirements.

1. **Disposition of Applicant’s Documents**

Upon the posting of the NOPA, all applications and related materials submitted in response to this solicitation will become property of the State and publicly available records. Unsuccessful applicants who seek the return of any materials must make this request to the Agreement Officer listed in Part I, and provide sufficient postage to fund the cost of returning the materials.

## Concept Application Evaluation

Proposals must pass Concept Application screening and evaluation based on the criteria outlined in Table 13 to be eligible to submit a full application for the Design Phase.

Table 13. Concept Application Screening and Evaluation Criteria

|  |  |
| --- | --- |
| **Concept Application Screening Criteria** | |
| 1. The Application is received by the Energy Commission’s Contracts, Grants, and Loans Office by the due date and time specified in the “Key Activities Schedule” in Part I of this solicitation. | Pass  Fail |
| 2. The Application addresses only one of the eligible project groups, as indicated on the Application Form. | Pass  Fail |
| 3. The Applicant has only submitted one project per application. *Applicants may submit multiple proposals during the concept application phase, however each proposal must be submitted as its own application unless the projects are part of the same master plan.* | Pass  Fail |
| **Concept Application EVALUATION Criteria** | |
| 1. What is the overall vision for this project team’s zero-emission, mixed-use development concept? If successful, how will this project advance the state’s goals to:   1. Decarbonize its building stock? 2. Increase housing supply and affordability? 3. Ensure equitable benefits to local communities, especially low-income households in those communities? | Pass  Fail |
| 2. What past and current activities and projects has the project team been involved with that show that the concept for the project can be realistically achieved? | Pass  Fail |
| 3. What criteria and process will the project team use — or has already used — to identify and finalize a project site? What steps and actions will the project team take — or has already taken — to ensure the project aligns with the priorities and vision of the community? | Pass  Fail |
| 4. What specific elements of the concept have the highest likelihood of being replicated and scaled? What impact would they have in driving down time and cost of future zero-emission building construction? | Pass  Fail |

## Design Phase - Full Application Screening

Proposals that pass the Concept Application are eligible to submit a full application for the design phase. Full applications for the design phase must pass all screening criteria as outlined in Table 14.

Table 14. Design Phase Screening Criteria

| **Design PHase Screening Criteria** | **Pass/Fail** |
| --- | --- |
| 1. The Application is received by the CEC’s Contracts, Grants, and Loans Office by the due date and time specified in the “Key Activities Schedule” in Part I of this solicitation and is received in the required manner (e.g., no emails or faxes). | Pass  Fail |
| 1. The Application Form (Attachment 4) is signed where indicated. | Pass  Fail |
| 1. A Commitment Letter from proposed project site owner (Attachment 13). | Pass  Fail |
| 1. The Applicant Declaration Form (Attachment 15) is signed where indicated. | Pass  Fail |
| 1. The Application addresses only one of the eligible project groups, as indicated on the Application Form. | Pass  Fail |
| 6.If the project involves Technology Demonstration and Deployment activities  a. The Application identifies one or more demonstration/ deployment site locations.  b. All demonstration/ deployment sites are located in a California electric IOU service territory (PG&E, SDG&E, or SCE).  c. The proposal includes a site commitment letter (Section III.D.11) for each demonstration/ deployment site. | Pass  Fail |

The CEC may have waived the requirement for a signature on application materials for this solicitation. If a notice regarding CEC’s waiver of the signature requirement appears here: https://www.energy.ca.gov/funding-opportunities/solicitations, the waiver applies to this solicitation. In the event of a conflict between the notice and any language in this solicitation regarding signatures, the notice will govern.

## Design Phase - Full Application Scoring

Proposals that pass the Concept Application and Design Phase Full Application Screening, and are not rejected as described in Section IV.C. will be evaluated based on the Additional Screening Criteria for Past Performance, Scoring Criteria on the next page, and the Scoring Scale below (with the exception of criteria 11−14, which will be evaluated as described in each criterion). Each criterion has an assigned number of possible points and is divided into multiple sub-criteria. The sub-criteria are not equally weighted. The Project Narrative (Attachment) must respond to each sub-criterion, unless otherwise indicated.

* The minimum passing score for **criteria** **1−10 is 80.5 points and the total minimum passing score is 98.00 out of 140 points for criteria 1 to 13.**
* The points for criteria 11−13 will only be applied to proposals that achieve the minimum score for criteria 1−10. The points for criteria 14-15 will only be applied to proposals that achieve the minimum scores for criteria 1-10 and criteria 1-13.

Table 15. Scoring Scale

| **% of Possible Points** | **Interpretation** | ***Explanation for Percentage Points*** |
| --- | --- | --- |
| 0% | Not Responsive | *Response does not include or fails to address the requirements being scored. The omission(s), flaw(s), or defect(s) are significant and unacceptable.* |
| 10-30% | Minimally Responsive | *Response minimally addresses the requirements being scored. The omission(s), flaw(s), or defect(s) are significant and unacceptable.* |
| 40-60% | Inadequate | *Response addresses the requirements being scored, but there are one or more omissions, flaws, or defects or the requirements are addressed in such a limited way that it results in a low degree of confidence in the proposed solution.* |
| 70% | Adequate | *Response adequately addresses the requirements being scored. Any omission(s), flaw(s), or defect(s) are inconsequential and acceptable.* |
| 75% | Between Adequate and Good | *Response better than adequately addresses the requirements being scored. Any omission(s), flaw(s), or defect(s) are inconsequential and acceptable.* |
| 80% | Good | *Response fully addresses the requirements being scored with a good degree of confidence in the applicant’s response or proposed solution. No identified omission(s), flaw(s), or defect(s). Any identified weaknesses are minimal, inconsequential, and acceptable.* |
| 85% | Between Good and Excellent | *Response fully addresses the requirements being scored with a better than good degree of confidence in the applicant’s response or proposed solution. No identified omission(s), flaw(s), or defect(s). Any identified weaknesses are minimal, inconsequential, and acceptable.* |
| 90% | Excellent | *Response fully addresses the requirements being scored with a high degree of confidence in the applicant’s response or proposed solution. Applicant offers one or more enhancing features, methods or approaches exceeding basic expectations.* |
| 95% | Between Excellent and Exceptional | *Response fully addresses the requirements being scored with a better than excellent degree of confidence in the applicant’s response or proposed solution. Applicant offers one or more enhancing features, methods or approaches exceeding basic expectations.* |
| 100% | Exceptional | *All requirements are addressed with the highest degree of confidence in the applicant’s response or proposed solution. The response exceeds the requirements in providing multiple enhancing features, a creative approach, or an exceptional solution.* |

Table 16. Additional Screening Criteria for Past Performance

| **Screening Criteria** |  |
| --- | --- |
| **Applicant Past Performance with Energy Commission**  The applicant—defined as at least one of the following: the business, principal investigator, or lead individual acting on behalf of themselves—received funds from the Energy Commission (e.g., contract, grant, or loan) and entered into an agreement(s) with the Commission and demonstrated **severe performance issues** characterized by significant negative outcomes including:   * Significant deviation from agreement requirements; * Termination with cause; * Demonstrated poor communication, project management, and/or inability, due to circumstances within its control, from materially completing the project; * Quality issues with deliverables including poorly written final report that prevents publishing * Severe unresolved negative audit findings. |  |
| **Must pass to continue with Scoring Criteria** | **Pass/Fail** |
| **Scoring CRITERIA**  **The Project Narrative (Attachment)** must respond to each criterion below. The responses must directly relate to the solicitation requirements and focus as stated in the solicitation. Any estimates of energy savings or GHG impacts should be calculated as specified in the References for Calculating Energy End-Use and GHG Emissions (Attachment), to the extent that the references apply to the proposed project. | |

Table 17. Design Phase Scoring Criteria

| **Scoring Criteria** | **Maximum Points** |
| --- | --- |
| 1. **Emerging Energy Technologies**    1. What emerging energy technologies will the project team pursue for the zero-emission mixed-use development concept? How will the project demonstrate innovative all-electric applications in the nonresidential portion of the developments?    2. What technologies will be used to enable dynamic energy management for load flexibility? How will residents engage in demand response that integrates real-time pricing?    3. What steps will the project team take to ensure the performance, safety, feasibility, and reliability of the technologies prior to the installation in the build stage of the competition? | **20** |
| 1. **Energy, Emissions and Cost Performance**    1. What tools and methods will be used to model the expected energy performance of the applicant’s mixed-use development project, including:  * Onsite renewable generation * Building loads * Grid-interactive metrics (shed, shift, etc.) and grid services * Bill savings for tenants   1. What tools and methods will be used to model the expected emissions performance of the mixed-use development?   2. What tools and methods will be used to model the overall construction and operating costs of the proposed design **at scale**? This should take into consideration expected cost reductions from scale – both per-unit technology costs as well as soft cost reductions that result from the “on-the-ground” learning. This will be used to compare the project to a minimally code-compliant version using standard design and construction practices at the end of the design phase. | **15** |
| 1. **Resiliency and Safety**    1. What planning tools will the team use or has used to take into consideration climate change impacts at the proposed project site?    2. What enhancing technology and design features will the project team pursue for the mixed-use development to be resilient to power outages, natural disasters, or other environmental hazards or impacts expected from climate change? | **10** |
| 1. **Aesthetics and Functionality**     1. How is the project team planning to take advantage of novel features and form factors in some of the emerging energy technologies to improve the aesthetics and functionality of the building?    2. What passive design features will be employed to improve the sustainability and aesthetics of the development?    3. What smart home features will the development come pre-equipped with? How will this enable the residents to be prosumers? | **10** |
| 1. **Advanced Construction Practices**    1. What advanced planning, design, and construction methods will the project team pursue for this project?    2. What is the potential for construction time and cost savings of these advanced methods compared to a similar buildout using standard construction practices?    3. What strategies and materials will the project team pursue to reduce the embedded emissions from building construction and materials? | **10** |
| 1. **Construction Readiness**    1. How does the development construction timeline align with the timeline of this funding opportunity?    2. What are the critical milestones in the design phase the project team will manage to ensure the project is ready to move into the build phase?    3. What is the project team’s plan for financing the development? What additional incentives, such as utility incentives and tax incentives, will the project team pursue to help finance the development?    4. What is the extent to which the applicant has secured the site, e.g., does the applicant have ownership or control, is the applicant negotiating a written legal agreement that is nearly complete, or is the applicant in the early stages of negotiation? | **10** |
| 1. **Community and Economic Impact**    1. How does the project team plan to address or minimize gentrification in a way that is aligned with local government and community priorities? How does the project team address affordability that reflects community needs?    2. What steps and actions will the applicant take to ensure the project aligns with the needs and vision of the community? How does the project team plan to solicit community input and incorporate community feedback into the project design, including the purpose of the nonresidential space? What positive impacts will the development have on the local community? What type of capacity building, workforce development, or local job creation is expected to result from the project? How will this project improve access to electric mobility, solar PV, and demand response for the tenants? What technology platforms or innovative policy/financial mechanism will be used to enable this? | **15** |
| 1. **Market Transformation** 2. How does the project team plan to promote the broader adoption of the emerging energy technologies and advanced architectural, design, and construction practices demonstrated by this project? 3. How will this project help transition mixed-use development from a one-off bespoke model to a more standardized, repeatable, and scalable model? 4. What financing strategies and sources will the project team pursue for the ownership and operation of the advanced energy elements of the development in a way that is affordable and replicable for other developments without access to grant funding? 5. What standards and protocols will be used to create a more plug-and-play environment for energy technology solutions? 6. What contingency plans will team pursue to reduce risk of adopting new technologies? | **15** |
| 1. **Customer (Tenant) Interface** 2. How will this project communicate and market climate resiliency features to future tenants? 3. What interfaces are planned to engage and reward tenants for maintaining the energy efficiency, demand flexibility and climate resiliency features of the building(s) 4. What concrete steps does the applicant plan for compliance with the California Information Practices Act, which requires protection of Personally Identifiable Information (e.g., information about tenants)? | **5** |
| 1. **Team Qualifications, Capabilities, and Resources**   Evaluations of ongoing or previous projects including project performance by applicant and team members will be used in scoring for this criterion. This can include contacting references.   1. Identifies credentials of prime and any subcontractor key personnel, including the project manager, principal investigator and technology and knowledge transfer lead *(include this information in the Project Team Form), including Community Based Organization,* has appropriate qualifications, experience, financial stability and capability to complete the project. 2. Explains the team structure and how various tasks will be managed and coordinated. 3. Describes the facilities, infrastructure, and resources available that directly support the project. 4. Describes the team’s history of successfully completing projects in the past 10 years including subsequent deployments and commercialization. | **15** |
| **Total Possible Points for Criteria 1− 10**  **(Minimum Passing Score for Criteria 1− 10 is 70% or 80.5)** | **115** |
| 1. **Budget and Cost-Effectiveness** 2. Budget forms are complete for the applicant and all subcontractors, as described in the Budget instructions. 3. Justifies the reasonableness of the requested funds relative to the project goals, objectives, and tasks. 4. Justifies the reasonableness of direct costs (e.g., labor, fringe benefits, equipment, materials & misc. travel, and subcontractors). 5. Justifies the reasonableness of indirect costs (e.g., overhead, facility charges (e.g., rent, utilities), burdens, subcontractor profit, and other like costs). | **10** |
| 1. **CEC Funds Spent in California**   Projects that maximize the spending of CEC funds in California will receive points as indicated in the table below (see CEC Funds Spent in California section for more details).   |  |  | | --- | --- | | **Percentage of CEC funds spent in CA vs Total CEC funds requested**  (derived from budget Attachment ) | **Percentage of Possible Points** | | >60% | 20% | | >65% | 30% | | >70% | 40% | | >75% | 50% | | >80% | 60% | | >85% | 70% | | >90% | 80% | | >95% | 90% | | >98% | 100% | | **10** |
| 1. **CEC funds spent on Indirect Costs and Profit**   Projects that minimize the amount of CEC funds spent on indirect and profit will receive points as indicated in the table below.   |  |  | | --- | --- | | **Percentage of CEC funds spent on indirect costs and profit vs Total CEC funds requested**  (derived from budget Attachment ) | **Percentage of Possible Points** | | 10% or less | 100% | | >10% | 80% | | >15% | 60% | | >20% | 40% | | >25% | 20% | | >30% | 0% |   NOTE: For the purposes of this criterion, the CEC will include the facility charges (e.g., rent, utilities, etc.), burdens and other like costs that are budgeted as direct costs into the indirect costs in the formula. | **5** |
| **Total Possible Points** **for Criteria 1 – 13**  **(Minimum Passing Score for Criteria 1 – 13 is 70% or 98)** | **140** |
| **Total Possible Points** | **140** |
| **Preference Points** Applications must meet all minimum passing scores (Scoring Criteria 1-4, 1-7) to be eligible for the additional Preference Points as described in Scoring Criteria 8 and 9 below. | |

|  |  |
| --- | --- |
| **Scoring Criteria** | **Maximum Points** |
| 1. **Match Funds** 2. Match funding is not required for this solicitation. However,applications that include match funding will receive additional points based on the proposed total match (cash + in kind) contributions relative to the total amount of EPIC funds requested during the scoring phase.  * Each match funding contributor must submit a commitment letter that meets the requirements of Attachment13. Failure to meet these requirements will disqualify the proposal from consideration of additional points. * 5 points for this criterion will be awarded based on the percentage of match funding relative to requested CEC funds. The percentage used to determine the point value will follow this equation:   %=Total Match/Total CEC Funds Requested  This ratio will be multiplied by 5 to yield the points up to a maximum of 5 total points.  For example: If requested EPIC funds are $1,000,000 and the applicant provides $500,000 in match funding, the proposal would be awarded 2.5 points [($500,000/$1,000,000) x 5 = 2.5]  Cash match share is preferred; however, in-kind cost share is permitted and will be considered for solicitation. Points for this criterion will be evaluated based on the proposed cash match relative to the total match (cash + in-kind) contributions using the Cash Match Scoring Table:  **Cash Match Scoring Table**   | Percentage of Proposed Cash Match Funds | Score | | --- | --- | | 80 to 100% | 5 | | 60 to <80% | 4 | | 40 to <60% | 3 | | 20 to <40% | 2 | | 10 to <20% | 1 | | **5** |
| 1. **Disadvantaged & Low-Income Communities**   In order to receive or qualify for these additional points, the proposed project must demonstrate benefits to the disadvantaged and/or low-income communities, by describing the following:   1. Proposal identifies how the target market(s) will benefit disadvantaged and/or low-income communities. 2. Identifies economic impact on low-income and disadvantaged communities including customer bill savings, job creation, partnering and contracting with micro- and small-businesses, and economic development. 3. Describes how the project will increase access to clean energy or sustainability technologies within disadvantaged and/or low-income communities and how the development will benefit the communities. 4. Applicants have letters of support from technology partners, community based organizations, environmental justice organizations, or other partners that demonstrate their belief that the proposed project will lead to increased equity, and is both feasible, and commercially viable in the identified low-income and/or disadvantaged communities. | **10** |

## Build Phase Selection

Only projects that advanced through all prior evaluation stages and were successfully awarded as part of the Design Phase will be eligible for the Build Phase. The Build Phase evaluation will be based on the Design Phase deliverables submitted as part of the application to the Build Phase. A distinguished panel of judges and/or the Evaluation Committee members will recommend four Recipients under the Build Phase for approval by the Energy Commission, based on the following Build Phase Selection Rubric and Criteria for the following categories: technology, construction, external impact, other, bonus points. See Tables 18-24.

Table 18: Build Phase Selection Rubric - Technology

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Area I: Technology** | **Excellent** | **Above Average** | **Average** | **Below Average** | **Far Below Average** | **Missing** |
| 1. Emerging Energy Technologies  • Technology innovation  • Demonstrated effectiveness  • Technology package integration and enhancement | 20 | 16 | 12 | 8 | 4 | 0 |
| 2. Building Performance  • Emissions performance  • Energy performance  • Level of grid-interaction  • Cost performance | 15 | 12 | 9 | 6 | 3 | 0 |
| 3. Enhancing Features: Resiliency and Safety, Aesthetics and Functionality  • Resilience to outages, environmental hazards, climate change  • Level of customer disruption  • Aesthetics and form integration of enhancing features | 10 | 8 | 6 | 4 | 2 | 0 |
| Subtotal: \_\_\_\_\_\_ |  |  |  |  |  |  |

Source: California Energy Commission Staff

Table 19: Build Phase Selection Evaluation Rubric – Construction

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Area II: Construction** | **Excellent** | **Above Average** | **Average** | **Below Average** | **Far Below Average** | **Missing** |
| 1. Advanced Construction Practices  • Planning, design and construction methods  • Potential for construction time and cost savings | 10 | 8 | 6 | 4 | 2 | 0 |
| 2. Construction Readiness  • Regulatory approvals  • Secured financing  • Completion of engineering and design analysis  • Clarity of construction plan | 10 | 8 | 6 | 4 | 2 | 0 |
| Subtotal: \_\_\_\_\_\_ |  |  |  |  |  |  |

Source: California Energy Commission Staff

Table 20: Build Phase Selection Evaluation Rubric – External Impact

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Area III: External Impact** | **Excellent** | **Above Average** | **Average** | **Below Average** | **Far Below Average** | **Missing** |
| 1. Community and Economic Impact  • Gentrification mitigation plan  • Community engagement  • Positive impact on local community | 15 | 12 | 9 | 6 | 3 | 0 |
| 2. Market Transformation  • Likelihood of adoption & becoming standard practices  • Impact on industry  • Replicability of financial/business model, affordability  • Mitigates risk of adopting new technologies | 15 | 12 | 9 | 6 | 3 | 0 |
| Subtotal: \_\_\_\_\_\_ |  |  |  |  |  |  |

Source: California Energy Commission Staff

Table 21: Build Phase Selection Evaluation Rubric – Other

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Area IV: Other** | **Excellent** | **Above Average** | **Average** | **Below Average** | **Far Below Average** | **Missing** |
| 1. Presentation  • Communication and demonstration of project specifics | 5 | 4 | 3 | 2 | 1 | 0 |
| Subtotal: \_\_\_\_\_\_ |  |  |  |  |  |  |

Source: California Energy Commission Staff

Table 22: Build Phase Selection Evaluation Rubric – Bonus Points

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Area V: Bonus Points** | **Excellent** | **Above Average** | **Average** | **Below Average** | **Far Below Average** | **Missing** |
| 1. Additional Environmental Factors (BONUS)  • Inclusion of water-saving measures  • Use of sustainable materials  • Reduction of transportation emissions  • Urban greening | 5 | 4 | 3 | 2 | 1 | 0 |
| Subtotal: \_\_\_\_\_\_ |  |  |  |  |  |  |

Source: California Energy Commission Staff

Table 23: Build Phase Selection Evaluation Rubric – Score Breakdown

|  |  |  |
| --- | --- | --- |
| Total: | Bonus: | Overall Score: |
| \_\_\_\_\_/100 | \_\_\_\_\_/5 | \_\_\_\_\_/105 |

Source: California Energy Commission Staff

Table 24: Detailed Build Phase Selection Evaluation Criteria

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | An EXCELLENT project will have most of the following characteristics: | An ABOVE AVERAGE project will have most of the following characteristics: | An AVERAGE project will have most of the following characteristics: | A BELOW AVERAGE project will have most of the following characteristics: | A FAR BELOW AVERAGE project will have most of the following characteristics: |
| EMERGING ENERGY TECHNOL-OGIES: | Proposes multiple technologies that are innovative – i.e. not commonly used and exceed performance of standard technology.  Technologies have been demonstrated and proven effective.  Technology package is integrated, enhancing, and creative. | Proposes at least one technology that is innovative – i.e. not commonly used and exceeds performance of standard technology.  Technologies have been demonstrated and proven effective.  Technology package is integrated and enhancing. | Proposes technologies that are standard and proven effective, but not necessarily innovative.  Technology package is integrated. | Proposes technologies that are standard but limited in their capabilities to meet solicitation objectives.  Technologies have a limited track record of performance, reliability, or safety.  Technology package is disparate and does not demonstrate an ability to work cohesively. | Proposes technologies that do not align with solicitation objectives.  Technologies present significant risk or concern about performance, reliability, or safety.  Technology package has significant omissions or flaws. |
| BUILDING ENERGY, EMISSIONS, AND COST PERFORM-ANCE: | Development is designed to achieve zero site emissions, able to meet daily peak electricity demand using onsite renewables, onsite storage, and load management, and makes additional improvements to minimize emissions associated with grid electricity purchases.  Design incorporates several innovative, grid- interactive building elements with high capability to provide demand flexibility and grid services.  Construction and operating cost of mixed-use development is significantly cheaper than a similar development built to code. Tenants are expected to have significantly lower energy bills. | Development is designed to achieve zero emissions and able to meet daily peak electricity demand using onsite renewables, onsite storage, and load management as designed.  Development is likely to achieve a low EUI for its building use.  Design incorporates  standard grid- interactive building elements with high capability to provide demand flexibility and grid services.  Construction and operating cost of mixed-use development is slightly cheaper than a similar development built to code. Tenants are expected to have lower energy bills compared to a similar development built to code. | Development is designed to achieve zero emissions and able to partially meet daily peak electricity demand using onsite renewables, onsite storage, and load management.  Development is likely to achieve a low EUI for its building use.  Design incorporates standard grid- interactive building elements with moderate capability to provide demand flexibility and grid services.  Construction and operating cost of mixed-use development is comparable to a similar development built to code.  Tenants are expected to have comparable energy bills than a similar development built to code. | Development is designed to meet zero emissions with very limited exceptions and can partially meet daily peak electricity demand using onsite renewables, onsite storage, and load management. Development is likely to achieve standard  EUI for its building use. Design incorporates limited grid-interactive building elements with low capability to provide demand flexibility and grid services.  Development is built to code without any enhancing energy features.  Construction and operating cost of mixed-use development is more expensive than a similar development built to code, but costs are expected to reduce at scale. | Development is not designed to achieve zero emissions and will not meet daily peak electricity demand using onsite renewables, onsite storage, and load management as designed.  Development is likely to have a high EUI for its building use.  Development does not operate dynamically with the grid.  Construction and operating cost of mixed-use development is prohibitively more expensive than a similar development built to code.  Tenants are expected to have significantly higher energy bills than a similar development built to code. |
| BUILDING ENERGY, EMISSIONS, AND COST PERFORM-ANCE:   (cont’d) | compared to a similar development built to code. |  |  | Tenants are expected to have slightly higher energy bills than a similar development built to code. |  |
| ENHANCING FEATURES:  RESILIENCY, SAFETY, AESTHET-ICS AND FUNCTION-ALITY | Design incorporates all the following: Development is resistant to power outages and can maintain critical life-support conditions in the event of extended loss of power. Design accounts for major environmental hazards that are historically common in the region or expected to result from climate change.  Advanced energy features are not disruptive to commercial and residential tenants. Advanced energy features are well integrated into the form and function of the development. Advanced energy features are aesthetically pleasing. | Design incorporates three of the following:  Development is resistant to power outages and can maintain critical life-support conditions in the event of extended loss of power. Design accounts for major environmental hazards that are historically common in the region or expected to result from climate change. Advanced energy features are not disruptive to commercial and residential tenants. Advanced energy features are well integrated into the form and function of the development. Advanced energy features are aesthetically pleasing. | hazards that are historically common in the region or expected to result from climate change.  Advanced energy features are not disruptive to commercial and residential tenants. Advanced energy features are well integrated into the form and function of the development. Advanced energy features are aesthetically pleasing. | Design incorporates one of the following:  Development is resistant to power outages and can maintain critical life-support conditions in the event of extended loss of power. Design accounts for major environmental hazards that are historically common in the region or expected to result from climate change. Advanced energy features are not disruptive to commercial and residential tenants. Advanced energy features are well integrated into the form and function of the development. Advanced energy features are aesthetically pleasing. | Design incorporates none of the following:  Development is resistant to power outages and can maintain critical life-support conditions in the event of extended loss of power. Design accounts for major environmental hazards that are historically common in the region or expected to result from climate change. Advanced energy features are not disruptive to commercial and residential tenants. Advanced energy features are well integrated into the form and function of the development. Advanced energy features are aesthetically pleasing. |
| ADVANCED CONSTRUC-TION PRACTICES: | Project utilizes multiple advanced planning, design and construction methods (e.g. building information modeling, modular construction, offsite manufacturing, prefabrication).  Project demonstrates exceptional potential for significant construction time and cost savings by leveraging advanced planning, design and construction methods compared to a similar buildout using standard construction practices. | Project utilizes some advanced planning, design and construction methods (e.g. building information modeling, modular construction, offsite manufacturing, prefabrication).  Project demonstrates potential for construction time and cost savings by leveraging advanced planning, design and construction methods compared to a similar buildout using standard construction practices. | Project demonstrates some potential for construction time and cost savings by leveraging advanced planning, design and construction methods compared to a similar buildout using standard construction practices. | Project demonstrates minimal potential for construction time and cost savings by leveraging advanced planning, design and construction methods compared to a similar buildout using standard construction practices. | Planning, design and construction methods are likely to be significantly more costly and time intensive. |
| CONSTRUC-TION READINESS: | Design incorporates all the following:  The project has secured all necessary regulatory approvals needed to begin construction (e.g. completed Environmental Impact Reviews, CEQA determinations).  The project has demonstrated very clear and secured source(s) of financing the construction of the development.  The project has completed and finalized all necessary engineering and design analysis.  The project has identified all remaining tasks needed before construction can begin and presents a very clear and reasonable plan for accomplishing those tasks. | Design differs from ‘Excellent’ criteria in at least one of the following ways:  The project has secured most of the necessary regulatory approvals needed to begin construction (e.g. completed Environmental Impact Reviews, CEQA determinations).  The project has demonstrated clear and secured source(s) of financing the construction of the development.  The project has completed and finalized most of the necessary engineering and design analysis.  The project has identified most of the remaining tasks needed before construction can begin and presents a clear and reasonable plan for accomplishing those tasks. | Design differs from ‘Excellent’ criteria in at least one of the following ways:  The project has secured some of the necessary regulatory approvals needed to begin construction (e.g. completed Environmental Impact Reviews, CEQA determinations).  The project has demonstrated secured source(s) of financing the construction of the development.  The project has completed and finalized some of the necessary engineering and design analysis.  The project has identified some of the remaining tasks needed before construction can begin and presents a somewhat clear and reasonable plan for accomplishing those tasks. | Design differs from ‘Excellent’ criteria in at least one of the following ways:  The project has secured very little of the necessary regulatory approvals needed to begin construction (e.g. completed Environmental Impact Reviews, CEQA determinations).  The project has demonstrated some source(s) of financing the construction of the development.  The project has completed and finalized very little of the necessary engineering and design analysis.  The project has identified very few of the remaining tasks needed before construction can begin or presents an unclear or unreasonable reasonable plan for accomplishing those tasks. | Design differs from ‘Excellent’ criteria in at least one of the following ways:  The project has not secured any necessary regulatory approvals needed to begin construction (e.g. completed Environmental Impact Reviews, CEQA determinations).  The project has not demonstrated any source(s) of financing the construction of the development.  The project has not completed or finalized any necessary engineering and design analysis.  The project has not identified any remaining tasks needed before construction can begin or does not present a plan for accomplishing those tasks. |
| COMMUNITY AND ECONOMIC IMPACT: | Project includes plan to mitigate or minimize gentrification that is well aligned with local government and community priorities. Project clearly demonstrates meaningful community engagement and incorporates community feedback into design.  Project will positively impact the broader community in a variety of ways. | N/A | Project includes plan to mitigate or minimize gentrification. Project team solicited community input and feedback in project Design Phase but does not clearly demonstrate how the feedback was implemented in the design.  Project will positively impact the immediate community. | N/A | Project does not address gentrification.  Project did not consider community input during planning and Design Phase. |
| MARKET TRANSFORM-ATION: | | Project contains advanced construction practices that have high likelihood of adoption, provide significant impact to industry, and are highly likely to become standard practices.  Project proposes an innovative, sustainable, and replicable financial/business model for the ownership/operation of the advanced energy elements of the development. | Project contains advanced construction practices that have high likelihood of adoption and are highly likely to become standard practices.  Project proposes a sustainable and replicable financial/business model for the ownership/operation of the advanced energy elements of the development. | Project contains advanced construction practices that are likely to become standard practices by project team but have limited likelihood of wide adoption throughout industry.  Project proposes a sustainable financial/business model for the ownership/operation of the advanced energy elements of the development. | Project contains advanced construction practices that are unlikely to become standard practices by project team and have limited likelihood of wide adoption throughout industry.  Project is unlikely to be financially replicable or proposes an unsound financial/business model. | Project does not contain any advanced construction practices and does not demonstrate any elements that are likely to become standard practices by project team or industry.  Project does not include a financial/business model for the ownership/operation of the advanced energy elements of the development. |
| PRESENTAT-ION: | | Questions answered directly, confidently, demonstrating excellent level of knowledge. | Questions answered directly, confidently, demonstrating substantial level of knowledge. | Questions answered directly, demonstrating competent level of knowledge. | Questions answered, demonstrating basic level of knowledge. | Questions answered, demonstrating limited level of knowledge. |
| ADDITIONAL ENVIRON-MENTAL FACTORS (BONUS POINTS SECTION): | | Design incorporates solutions that have a high impact and high likelihood of widespread adoption to address the following: Water-saving measures including beyond-code water efficiency measures and use of on-site rainwater and greywater.  Strategies and materials that reduce the carbon impact from building construction and materials.  Strategies to reduce vehicle-miles-travelled or transportation emissions of its occupants by providing electric vehicle charging and micro-mobility infrastructure, access to public transport and enhancing walkability. | Design incorporates solutions that have a high impact and low likelihood of widespread adoption to address the following: Water-saving measures including beyond-code water efficiency measures and use of on-site rainwater and greywater.  Strategies and materials that reduce the carbon impact from building construction and materials.  Strategies to reduce vehicle-miles-travelled or transportation emissions of its occupants by providing electric vehicle charging infrastructure and micro-mobility, access to public transport and enhancing walkability. | Design incorporates solutions that have low impact and high likelihood of widespread adoption to address the following: Water-saving measures including beyond-code water efficiency measures and use of on-site rainwater and greywater.  Strategies and materials that reduce the carbon impact from building construction and materials.  Strategies to reduce vehicle-miles-travelled or transportation emissions of its occupants by providing electric vehicle charging infrastructure and micro-mobility, access to public transport and enhancing walkability. | Design incorporates solutions that have low impact and low likelihood of adoption to address the following: Water-saving measures including beyond-code water efficiency measures and use of on-site rainwater and greywater.  Strategies and materials that reduce the carbon impact from building construction and materials.  Strategies to reduce vehicle-miles-travelled or transportation emissions of its occupants by providing electric vehicle charging infrastructure and micro-mobility, access to public transport and enhancing walkability. | Design has none of the following:  Water-saving measures including beyond-code water efficiency measures and use of on-site rainwater and greywater.  Strategies and materials that reduce the carbon impact from building construction and materials.  Strategies to reduce vehicle-miles-travelled or transportation emissions of its occupants by providing electric vehicle charging infrastructure and micro-mobility, access to public transport and enhancing walkability. |

Source: California Energy Commission Staff

1. [California’s Fourth Climate Change Assessment](http://climateassessment.ca.gov/). http://climateassessment.ca.gov/ [↑](#footnote-ref-2)
2. Woetzel, Jonathan, Jan Mischke, Shannon Peloquin, and Daniel Weisfield. "Closing California’s Housing Gap." McKinsey Global Institute, October (2016). [↑](#footnote-ref-3)
3. Center for Neighborhood Technology. "Penny Wise, Pound Fuelish." (2010). [↑](#footnote-ref-4)
4. Affordable housing as specified can include moderate income (80%-120% of area median income (AMI)) and lower income (0-80% of AMI) units; based on California Department of Housing and Community Development. <https://www.hcd.ca.gov/grants-funding/income-limits/index.shtml> [↑](#footnote-ref-5)
5. Tier 1 = Critical load, usually 10% of total load: Life-sustaining or crucial to keep operational during a grid outage; Tier 2 = Priority load, usually 15%: Important but not absolutely crucial to keep operational during an outage; Tier 3 = Discretionary load, usually 75%: Remainder of the total load

   Based on CleanCoalition Value of Resilience, VOR123, methodology.

   <https://clean-coalition.org/news/value-of-resilience-to-proliferate-community-microgrids/> [↑](#footnote-ref-6)
6. “Low-income communities” means communities within census tracts with median household incomes at or below either of the following levels:

   (A) Eighty percent of the statewide median income.

   (B) The applicable low-income threshold listed in the state income limits updated by the Department of Housing and Community Development and filed with the Office of Administrative Law pursuant to subdivision (c) of Section 50093 of the Health and Safety Code. [↑](#footnote-ref-7)
7. “Disadvantaged communities” means communities identified pursuant to Section 39711 of the Health and Safety Code. https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30. [↑](#footnote-ref-8)
8. Pacific Standard Time or Pacific Daylight Time, whichever is being observed. [↑](#footnote-ref-9)
9. This deadline does not apply to non-technical questions (e.g., questions concerning application format requirements or attachment instructions) or to questions that address an ambiguity, conflict, discrepancy, omission, or other error in the solicitation. Such questions may be submitted to the Commission Agreement Officer listed in Section G at any time prior to the application deadline. Please see Section G for additional information. [↑](#footnote-ref-10)
10. Title 14, California Code of Regulations, § 15367. [↑](#footnote-ref-11)
11. See CPUC “Phase 1” Decision 11-12-035, December 15, 2011, http://docs.cpuc.ca.gov/PublishedDocs/WORD\_PDF/FINAL\_DECISION/156050.PDF. [↑](#footnote-ref-12)
12. See CPUC “Phase 2” Decision 12-05-037, May 24, 2012, http://docs.cpuc.ca.gov/PublishedDocs/WORD\_PDF/FINAL\_DECISION/167664.PDF. [↑](#footnote-ref-13)
13. California Public Resources Code, Section 25711.5(a), http://www.leginfo.ca.gov/cgi-bin/displaycode?section=prc&group=25001-26000&file=25710-25712. [↑](#footnote-ref-14)
14. 2012-14 EPIC Triennial Investment Plan, http://www.energy.ca.gov/research/epic/documents/final\_documents\_submitted\_to\_CPUC/2012-11-01\_EPIC\_Application\_to\_CPUC.pdf (Attachment 1), as modified and approved by CPUC Decision 13-11-025, http://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M081/K773/81773445.PDF. [↑](#footnote-ref-15)
15. 2015-17 EPIC Triennial Investment Plan, http://www.energy.ca.gov/2014publications/CEC-500-2014-038/CEC-500-2014-038-CMF.pdf, as modified and approved by CPUC Decision 15-04-020, http://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M151/K183/151183650.PDF. [↑](#footnote-ref-16)
16. A local publicly owned electric utility is an entity as defined in California Public Utilities Code section 224.3. [↑](#footnote-ref-17)
17. Public Resources Code § 25711.6. [↑](#footnote-ref-18)
18. Public Resources Code § 25711.5. [↑](#footnote-ref-19)
19. Public Resources Code § 25711.6. [↑](#footnote-ref-20)
20. See CPUC “Phase 2” Decision 12-05-037 at pp. 39-40 and 90, http://docs.cpuc.ca.gov/PublishedDocs/WORD\_PDF/FINAL\_DECISION/167664.PDF. [↑](#footnote-ref-21)
21. [↑](#footnote-ref-22)
22. *Id.* at p. 19. [↑](#footnote-ref-23)
23. *Id.* at pp. 19-20. [↑](#footnote-ref-24)
24. “Key personnel” are individuals that are critical to the project due to their experience, knowledge, and/or capabilities. [↑](#footnote-ref-25)